



Charities Act 1992

1992 CHAPTER 41

PART I

CHARITIES

Charity property

30 Provisions supplementary to s. 29

- (1) Any directions of the Commissioners under section 29 above shall have effect notwithstanding anything—
- (a) in the trusts of a charity, or
 - (b) in section 17(1) of the 1960 Act (supplementary provisions as to property vested in official custodian).

- (2) Subject to subsection (3), any provision—
- (a) of the trusts of a charity, or
 - (b) of any directions given by an order of the Commissioners made in connection with a transaction requiring the sanction of an order under section 29(1) of the 1960 Act (restrictions on dealing with charity property),

shall cease to have effect if and to the extent that it requires or authorises personal property of the charity to be transferred to or held by the official custodian; and for this purpose “personal property” extends to any mortgage or other real security, but does not include any interest in land other than such an interest by way of mortgage or other security.

- (3) Subsection (2) does not apply to—
- (a) any provision of an order made under section 20 of the 1960 Act (power to act for protection of charities); or
 - (b) any provision of any other order, or of any scheme, of the Commissioners if the provision requires trustees of a charity to make payments into an account maintained by the official custodian with a view to the accumulation of a

Status: This is the original version (as it was originally enacted).

sum as capital of the charity (whether or not by way of recoupment of a sum expended out of the charity's permanent endowment);

but any such provision as is mentioned in paragraph (b) shall have effect as if, instead of requiring the trustees to make such payments into an account maintained by the official custodian, it required the trustees to make such payments into an account maintained by them or by any other person (apart from the official custodian) who is either a trustee for the charity or a person nominated by them to hold such payments in trust for the charity.

- (4) The disposal of any property by the official custodian in accordance with section 29 above shall operate to discharge him from his trusteeship of that property.
- (5) Where any instrument issued by the official custodian in connection with any such disposal contains a printed reproduction of his official seal, that instrument shall have the same effect as if it were duly sealed with his official seal.