

Status: Point in time view as at 01/01/2024.

Changes to legislation: Equality Act 2010, Cross Heading: Educational charities is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 14

EDUCATIONAL CHARITIES AND ENDOWMENTS

Educational charities

- 1 (1) This paragraph applies to a trust deed or other instrument—
 - (a) which concerns property applicable for or in connection with the provision of education in an establishment in England and Wales to which section 85 or 91 applies, and
 - (b) which in any way restricts the benefits available under the instrument to persons of one sex.
- (2) Sub-paragraph (3) applies if, on the application of the trustees or the responsible body (within the meaning of that section), a Minister of the Crown is satisfied that the removal or modification of the restriction would be conducive to the advancement of education without sex discrimination.
- (3) The Minister may by order make such modifications of the instrument as appear to the Minister expedient for removing or modifying the restriction.
- (4) If the trust was created by a gift or bequest, an order must not be made until the end of the period of 25 years after the date when the gift or bequest took effect.
- (5) Sub-paragraph (4) does not apply if the donor or the personal representatives of the donor or testator consent in writing to making the application for the order.
- (6) The Minister must require the applicant to publish a notice—
 - (a) containing particulars of the proposed order;
 - (b) stating that representations may be made to the Minister within a period specified in the notice.
- (7) The period must be not less than one month beginning with the day after the date of the notice.
- (8) The applicant must publish the notice in the manner specified by the Minister.
- (9) The cost of publication may be paid out of the property of the trust.
- (10) Before making the order, the Minister must take account of representations made in accordance with the notice.

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