



# Open Spaces Act 1906

1906 CHAPTER 25 6 Edw 7

POWER TO TRANSFER OPEN SPACES AND BURIAL GROUNDS TO LOCAL AUTHORITIES

## **3 Transfer to local authority of spaces held by trustees for purposes of public recreation.**

- (1) Where any land is held by trustees (not being trustees elected or appointed under any local or private Act of Parliament) upon trust for the purposes of public recreation, the trustees may, in pursuance of a special resolution, transfer the land to any local authority by a free gift absolutely or for a limited term, and, if the local authority accept the gift, they shall hold the land on the trusts and subject to the conditions on and subject to which the trustees held the same, or on such other trusts and subject to such other conditions (so that the land be appropriated to the purposes of public recreation) as may be agreed on between the trustees and the local authority with the approval of the [<sup>F1</sup>Charity Commission].
- (2) Subject to the obligation of the land so transferred being used for the purposes of public recreation, the local authority may hold the land as and for the purposes of an open space under this Act.

### **Textual Amendments**

- F1** Words in s. 3(1) substituted (27.2.2007) by [Charities Act 2006 \(c. 50\), s. 79\(2\), Sch. 8 para. 12](#); [S.I. 2007/309, art. 2, Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Open Spaces Act 1906, Section 3.