



Education (Miscellaneous Provisions) Act 1948

1948 CHAPTER 40

1 Provisions as to transfer of powers conferred by the Charitable Trusts Acts, etc.

- (1) Powers conferred by the Charitable Trusts Acts, 1853 to 1939, or other enactments, and vested for the time being in the Charity Commissioners as respects endowments or trusts of any class other than the educational endowments and trusts mentioned in the Orders in Council made under the Board of Education Act, 1899 (which, as respects those educational endowments and trusts, effected a general transfer to the Minister's predecessor of powers then vested in the said Commissioners) may by Order in Council be transferred to the Minister, or be made exercisable by him, as respects all or any endowments or trusts of any such other class as aforesaid, in so far as it appears to His Majesty in Council to be expedient so to provide having regard to the relation between the purposes of the endowments or trusts to be dealt with by the Order and the purposes of endowments or trusts as respects which the same or associated powers are already vested in or exercisable by the Minister by virtue of the said Act of 1899.
- (2) If it appears to His Majesty in Council to be expedient that any powers formerly vested in the Charity Commissioners as respects all or any endowments or trusts of any class, and for the time being vested as respects them in the Minister, should as respects them cease to be vested in him and be vested in the said Commissioners, he may by Order in Council make provision accordingly.
- (3) An Order in Council made under this section may be varied or revoked by a subsequent Order in Council.
- (4) A draft of any Order in Council under this section shall be laid before Parliament.
- (5) The Orders in Council made under the Board of Education Act, 1899, shall continue in operation, subject to the provisions of subsection (2) of this section.
- (6) The preceding provisions of this section shall be in substitution for subsection (2) of section two of the Education Act, 1944 (in this Act referred to as " the principal Act ").