

1978 No. 1836

CHARITIES

The Charities (Methodist Church) Regulations 1978*Made - - - - 13th December 1978**Laid before Parliament 21st December 1978**Coming into Operation 1st February 1979*

In pursuance of sections 29(4), 43(1) as amended (a) and 45(6) of the Charities Act 1960(b), I hereby make the following Regulations:—

1.—(1) These Regulations may be cited as the Charities (Methodist Church) Regulations 1978 and shall come into operation on 1st February 1979.

(2) In these Regulations—

“the Board” and “model trusts” have the same meanings, respectively, as in the Methodist Church Act 1976(c); and

“the Wesleyan Methodist Secondary Schools’ Trust Deed” means the deed commonly so known, dated 11th December 1903, and made between the Rev. Albert Clayton and others.

(3) The Interpretation Act 1889(d) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament, and as if these Regulations and the Regulations revoked by these Regulations were Acts of Parliament.

2. A charity shall be excepted from the provisions of section 29(1) of the Charities Act 1960 as regards any mortgage, charge, sale, lease or other disposal of any land—

(a) held by the Board as custodian trustees upon the model trusts; or

(b) held upon trusts and with and subject to powers and provisions which are the same as those of, and declared or adopted by reference to, the Wesleyan Methodist Secondary Schools’ Trust Deed.

3. The Charities (Methodist Church) Regulations 1961(e) are hereby revoked.

Merlyn Rees,

One of Her Majesty’s Principal
Secretaries of State.

Home Office.
13th December 1978.

(a) 1973 c. 16, Sch. 1.

(c) 1976 c. xxx.

(e) S.I. 1961/225.

(b) 1960 c. 58.

(d) 1889 c. 63.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

These Regulations enable land held upon certain model trusts of the Methodist Church to be sold or otherwise disposed of without the necessity of the order of the Court or the Charity Commissioners which would otherwise be required by section 29 of the Charities Act 1960. Regulation 3 revokes the previous Regulations in that behalf, which applied to five model trust deeds. Under the Methodist Church Act 1976, property held on four of the five deeds is, together with other property, now held upon statutory "model trusts" (see Regulation 1 (2)). These Regulations apply both to those statutory trusts and to the fifth of the model deeds (the Wesleyan Methodist Secondary Schools' Trust Deed).

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