
STATUTORY INSTRUMENTS

1998 No. 2252

CHARITIES

**The Royal College of Ophthalmologists
(Charter Amendment) Order 1998**

Made - - - - - *16th September 1998*

Coming into force - - - - - *17th September 1998*

At the Court at Heathrow, the 16th day of September 1998

Present,

The Queen's Most Excellent Majesty in Council

WHEREAS the Royal College of Ophthalmologists (hereinafter referred to as "the College") was incorporated by Royal Charter dated 14th April 1988:

AND WHEREAS the Charity Commissioners for England and Wales, in exercise of their powers under section 15 of the Charities Act 1993⁽¹⁾, have made a Scheme dated 1st May 1998 for the purpose of extending the permitted application of the funds of the College:

AND WHEREAS by virtue of section 15(1) of the said Act the said Scheme cannot come into operation unless or until Her Majesty thinks fit to amend the Charter in such manner as will permit the Scheme to have effect:

AND WHEREAS the College has accordingly made application to Her Majesty in Council for amendment of the Charter:

NOW, THEREFORE, Her Majesty, in exercise of the powers contained in section 15(2) of the said Act, and all other powers enabling Her in that behalf, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that the said Charter be amended in the manner set forth in the Schedule to this Order.

This Order may be cited as the Royal College of Ophthalmologists (Charter Amendment) Order 1998 and shall come into force on 17th September 1998.

(1) 1993 c. 10.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

N. H. Nicholls
Clerk of the Privy Council

SCHEDULE

AMENDMENT TO THE CHARTER OF THE ROYAL COLLEGE OF OPHTHALMOLOGISTS DATED 14TH APRIL 1988

At the end of Article 4, the following words shall be added:

“; AND FURTHER PROVIDED that the Council may purchase indemnity insurance for members of the Council out of the funds of the College. This insurance shall not extend to:—

- (i) any claim arising from any act or omission which
 - (a) the members of the Council knew to be a breach of trust or breach of duty; or
 - (b) was committed by the members of the Council in reckless disregard of whether it was a breach of trust or breach of duty or not; and
- (ii) the costs of an unsuccessful defence to a criminal prosecution brought against the members of the Council in their capacity as charity trustees of the College.”.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Charter of the Royal College of Ophthalmologists (“the College”) so as to give effect to a Scheme made by the Charity Commissioners for England and Wales extending the permitted application of the funds of the College to the purchase of indemnity insurance for members of the Council of the College.