



# Local Government (Wales) Act 1994

## 1994 CHAPTER 19

### PART VI

#### TRANSITIONAL PROVISIONS

#### 49 Charities

- (1) Where, immediately before the commencement of this section, any property is held exclusively for charitable purposes by any of the old authorities, as sole trustee, that property shall vest on the same trusts in the appropriate council.
- (2) Where, immediately before the commencement of this section, any power with respect to a charity was vested in the proper officer of an old authority or in the holder of any other office of an old authority that power shall vest in the corresponding officer of the appropriate council.
- (3) Where, immediately before the commencement of this section, an old authority or any officer of an old authority is included among the charity trustees of a charity, those trustees shall include instead the appropriate council or (as the case may be) the corresponding officer of that council.
- (4) Where subsection (1) applies and the property in question is held for the benefit of—
  - (a) a specified area,
  - (b) the inhabitants of a specified area, or
  - (c) any particular class or body of persons in a specified area,the appropriate council is the new principal council whose area comprises the whole, or the greater part, of the specified area.
- (5) In any other case falling within this section, the appropriate council is the new principal council whose area comprises the whole, or the greater part, of the area of the old authority in question.
- (6) The Secretary of State may by order make provision with respect to any of the matters dealt with by this section, either in substitution for the provision made by this section

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*Status: This is the original version (as it was originally enacted).*

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or by way of supplementing or modifying that provision, and either generally or in relation to prescribed cases or classes of case.

(7) Nothing in this section—

- (a) affects any power of Her Majesty, the court or any other person to alter the trusts of any charity; or
- (b) applies in a case to which section 50 applies.

(8) In this section “charity”, “charitable purposes”, “charity trustees”, “court” and “trusts” have the same meaning as in the Charities Act 1993.