

ELIZABETH II



1985 CHAPTER xxxvi

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936, relating to Church of Scotland Trust (Amendment).

[30th October 1985]

WHEREAS the Provisional Order set forth in the Schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936, and it is requisite that the said 1936 c. 52. Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1. The Provisional Order contained in the Schedule hereunto annexed is hereby confirmed.

Confirmation
of Order in
Schedule.

2. This Act may be cited as the Church of Scotland Trust Short title.
(Amendment) Order Confirmation Act 1985.

SCHEDULE

CHURCH OF SCOTLAND TRUST (AMENDMENT)

Provisional Order to extend the powers of the Church of Scotland Trust with respect to the investment of the funds belonging to or held by it, and for other purposes.

1932 c. xxi.

Whereas by the Church of Scotland Trust Order 1932 the Church of Scotland Trust (hereinafter referred to as "the Trust") was constituted and incorporated and there was transferred to and vested in the Trust the heritable properties and investments set forth in the Schedule to the said Order:

And whereas the Trust was also authorised by the said Order to receive and hold for behoof of the Church of Scotland, as constituted by the union of the Church of Scotland and the United Free Church of Scotland on 2nd October 1929 (hereinafter referred to as "the Church"), the General Assembly of the Church and any committee, association, fund or scheme of the Church, any heritable properties, investments or funds acquired by or on behalf of the Church, the General Assembly of the Church or any such committee, association, fund or scheme:

And whereas by section 23 of the said Order powers were conferred on the Trust with respect to the investment of its funds:

And whereas such powers of investment have become unduly restrictive and it is expedient that the powers of the Trust with respect to the investment of funds belonging to or held by it should be enlarged and extended as provided in this Order:

1936 c. 52.

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936:

Now therefore in pursuance of the powers contained in the said Act the Secretary of State orders as follows:—

Short and collective titles.

1.—(1) This Order may be cited as the Church of Scotland Trust (Amendment) Order 1985.

1948 c. ix.
1958 c. i.

(2) This Order shall be construed as one with the Church of Scotland Trust Order 1932, the Church of Scotland Trust Order 1948 and the Church of Scotland Trust Order 1958; and those Orders and this Order may be cited together as the Church of Scotland Trust Orders 1932 to 1985.

Church of Scotland Trust (Amendment) c. xxxvi
Order Confirmation Act 1985

3

2. The Church of Scotland Trust Order 1932 shall be read and have effect as if the following section were substituted for section 23 thereof:—

Powers of investment.
1932 c. xxi.

“23. The Trust may invest the whole or any part of the funds belonging to or held by the Trust from time to time—

(1) in the purchase or upon the security of such shares, stocks, securities or other investments or property of whatever nature including land and premises and in any part of the world and whether involving liability or not (but not involving unlimited liability) and whether producing income or not as the Trust shall in its discretion think fit; or

(2) in depositing the whole or any part of the said funds with any bank, company, building society, authority or institution of any kind in any part of the world either at interest or otherwise and for such time and upon such terms in all respects as the Trust shall in its discretion think fit.”

3. The costs, charges and expenses of and incidental to the preparation, obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the Trust out of the funds of the Trust.

Costs of Order.

PRINTED IN ENGLAND BY OYEZ PRESS LIMITED
FOR W. J. SHARP

Controller and Chief Executive of Her Majesty's Stationery Office and
Queen's Printer of Acts of Parliament

