



Charities Act 1960 (repealed)

1960 CHAPTER 58 8 and 9 Eliz 2

PART IV

MISCELLANEOUS PROVISIONS AS TO CHARITIES AND THEIR AFFAIRS

35 Transfer and evidence of title to property vested in trustees.

- (1) Where, under the trusts of a charity, trustees of property held for the purposes of the charity may be appointed or discharged by resolution of a meeting of the charity trustees, members or other persons, a memorandum declaring a trustee to have been so appointed or discharged shall be sufficient evidence of that fact, if the memorandum is signed either at the meeting by the person presiding or in some other manner directed by the meeting, and is attested by two persons present at the meeting.
- (2) A memorandum evidencing the appointment or discharge of a trustee under subsection (1) above, if executed as a deed, shall have the like operation under section forty of the ^{M1}Trustee Act 1925 (which relates to vesting declarations as respects trust property in deeds appointing or discharging trustees), as if the appointment or discharge were effected by the deed.
- (3) For the purposes of this section, where a document purports to have been signed and attested as mentioned in subsection (1) above, then on proof (whether by evidence or as a matter of presumption) of the signature the document shall be presumed to have been so signed and attested, unless the contrary is shown.
- (4) This section shall apply to a memorandum made at any time, except that subsection (2) shall apply only to those made after the commencement of this Act.
- (5) This section shall apply in relation to any institution to which the ^{M2}Literary and Scientific Institutions Act 1854 applies, as it applies in relation to a charity.
- (6) The ^{M3}Trustee Appointment Act 1850, the ^{M4}Trustee Appointment Act 1869, the ^{M5}Trustees Appointment Act 1890, and in so far as it applies any of those Acts the ^{M6}School Sites Act 1852 shall cease to have effect; but where, at the commencement of this Act, the provisions of those Acts providing for the appointment of trustees

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1960 (repealed), Section 35. (See end of Document for details)

apply in relation to any land, those provisions shall have effect as if contained in the conveyance or other instrument declaring the trusts on which the land is then held.

Marginal Citations

- M1** 1925 c. 19.
- M2** 1854 c. 112.
- M3** 1850 c. 28.
- M4** 1869 c. 26.
- M5** 1890 c. 19.
- M6** 1852 c. 49.

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