



# Charities Act 1960

## 1960 CHAPTER 58

### 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 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 Literary and Scientific Institutions Act, 1854, applies, as it applies in relation to a charity.
- (6) The Trustee Appointment Act, 1850, the Trustee Appointment Act, 1869, the Trustees Appointment Act, 1890, and in so far as it applies any of those Acts the 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 apply in relation to

*Status: This is the original version (as it was originally enacted).*

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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.