



DfC

Department
for Communities

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Charities Annual Report 2018

A report by the Department for Communities

January 2019



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Charities Annual Report 2018

A report by the the Department For Communities of proceedings
by the Department For Communities under The Charities Act
(Northern Ireland) 1964 for the year 2018

Prepared pursuant to section 34 of the Charities Act (Northern Ireland) 1964

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Introduction

1. As required by section 34 of the Charities Act (Northern Ireland) 1964, this report gives an account of the proceedings of the Department for Communities where they have exercised their statutory powers under the Charities Act (NI) 1964 in respect of any charity in Northern Ireland in 2018. It has been prepared by Charities Team, Voluntary and Community Division, Department for Communities.
2. In this report “the Department” means the Department for Communities, and “the Act” means the Charities Act (Northern Ireland) 1964.

Appointment of New Trustees

3. As provided for under section 12 of the Act, where it appears to the Department that the appointment of new trustees of a charity is necessary in the interest of the proper administration of a charity, and that the appointment cannot conveniently be made otherwise than by an order made under section 12 or of the Court, the Department may (with the consent of the

Attorney General), make an order appointing new trustees of a charity. No such order was made in 2018.

Cy-Près Schemes

4. Under The Charities Act 2008 (Consequential Provision and Savings) Order (Northern Ireland) 2013 notwithstanding the repeal of sections 13, 22 and 23 of the Charities Act (Northern Ireland) 1964(3) by Schedule 9 to the Charities Act (Northern Ireland) 2008, those sections shall continue to apply, as the case may require, where before 24th June 2013 an application is made to the Court or the Department(4) to exercise its powers to apply property cy-près in respect of any particular property given for charitable purposes and the application has not been determined prior to that date, provided the aggregate net value of the property does not exceed £50,000.00. Under Article 90 of the Education and Libraries (Northern Ireland) Order 1986, the Department may make such a Scheme for the proceeds of sale of a teacher’s residence, irrespective of the amount involved. 4 schemes were made, details of which are shown overleaf:

VALUE OF PROPERTY	CIRCUMSTANCES GIVING RISE TO SCHEME	NEW OBJECTS AUTHORISED BY SCHEME
Capital value of £545.97	Drumgaw Old National School, Co. Armagh	Fund wound up and paid to Markethill Primary School and Lisnadill Primary School for educational prizes
Capital Value of £2,074.10 plus accrued income of £1,700.00	The Greer Charity	Applied to Hardy memorial Primary School for Prizes and Equipment etc.
Capital Value of £4,381.53	Thomas Haughton Bequest and Lurgan Model School Trust Fund	Applied to Lurgan Model School for Prizes and Equipment etc.
Capital Value of £19,807.62	The William Moffat Clow Bequest, Margaret Kennedy Logan Fund and the Ronald Marshall Memorial Fund	Fund amalgamated and applied to Portadown College for Prizes and Equipment etc.

Section 10 Amending schemes

- Under Section 10 of the Charities Act (NI) 1964, the trustees of a charity may apply to the Department to make a scheme of incorporation. No such scheme was made in 2018.

Section 25 Amending schemes

- Under Section 25 of the Charities Act (NI) 1964, the Department may by order make and bring into effect schemes for the establishment of common investment funds under trusts. No such scheme was made in 2018.

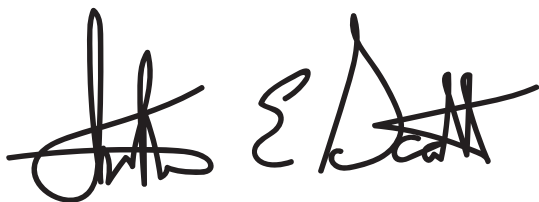
Transactions affecting charity property

7. Sections 17 – 21 of the Act confer power on the Department to authorise dealings in charity lands where it is satisfied that the proposed transactions will be for the benefit of the charity concerned. The following transactions were authorised in 2018:

Quantity	Details of transaction
1	Sale, producing gross proceeds of £77,000.00
1	Surrender, the value of which totalled £26,879.37
1	Exchange of property

Other functions of the Department under the act

8. Although the Department was not required to exercise all of its powers under other sections of the Act, the Act continued to be widely used. This entailed a considerable amount of work for the Department providing advice in relation to problems which arose in the administration of charities. Many of these problems were not, strictly speaking, the concern of the Department, but guidance was nevertheless given whenever possible.

A handwritten signature in black ink, appearing to read 'Arthur Scott', written in a cursive style.

Arthur Scott
Director
Voluntary and Community Division

Available in alternative formats.

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