

Draft Order laid before Parliament under section 17(2) of the Charities Act 1993, on 6th November 2003; draft to lie for forty days, pursuant to section 6(1) of the Statutory Instruments Act 1946, during which period either House of Parliament may resolve that the Order be not made.

DRAFT STATUTORY INSTRUMENTS

2003 No.

CHARITIES

The Charities (Alexandra Park and Palace) Order 2003

Made - - - - 2003
Coming into force - - 2003

Whereas the Charity Commissioners for England and Wales have, in pursuance of section 17(1) of the Charities Act 1993(1), settled the Scheme set out in the Appendix to this Order with a view to its being given effect under that section:

And whereas the Scheme does not alter any statutory provision contained in or having effect under any public general Act of Parliament:

And whereas a draft of this Order has been laid before Parliament, the period of forty days mentioned in section 6(1) of the Statutory Instruments Act 1946(2) has expired and neither House of Parliament has within that period resolved that the Order be not made:

Now, therefore, in pursuance of section 17(2) of the Charities Act 1993, the Secretary of State hereby makes the following Order:—

1. This Order may be cited as the Charities (Alexandra Park and Palace) Order 2003 and shall come into force on the fourteenth day after the day on which it is made.
2. The Scheme set out in the Appendix to this Order shall have effect.

Home Office
2003

Parliamentary Under-Secretary of State

(1) 1993 c. 10.
(2) 1946 c. 36.

APPENDIX

SCHEME FOR THE ADMINISTRATION OF THE CHARITY KNOWN AS ALEXANDRA PARK AND PALACE

Whereas the Charity known as Alexandra Park and Palace (“the Charity”) is now regulated by the Alexandra Park and Palace (Public Purposes) Act 1900⁽³⁾, the Alexandra Park and Palace Act 1913⁽⁴⁾, the Alexandra Park and Palace Order 1966⁽⁵⁾ and the Alexandra Park and Palace Act 1985⁽⁶⁾ (“the Alexandra Park and Palace Acts and Order 1900 to 1985”):

And whereas the Council of the London Borough of Haringey being the Trustees of the Charity and the members of the Alexandra Park and Palace Board (“the Board”) to whom the administration of the Charity has been delegated have represented to the Charity Commissioners that further powers are required in order for the Charity to carry out effectively the Charity’s objects:

And whereas the Trustees of the Charity and the members of the Board have on behalf of the Charity made application to the Charity Commissioners for a Scheme for the administration thereof:

And whereas it appears to the Charity Commissioners that a Scheme should be established for the alteration of the provisions governing the Charity but also that it is necessary for the Scheme to make provision which goes beyond the powers exercisable by them apart from section 17 of the Charities Act 1993:

And whereas in pursuance of section 20 of the Charities Act 1993 public notice of the Charity Commissioners' proposals for this Scheme has been given and the Charity Commissioners have taken into consideration the representations made to them in respect thereof:

Now, therefore, the Charity Commissioners, in pursuance of section 17(1) of the Charities Act 1993 hereby settle the following Scheme:

SCHEME

1. Provisions ceasing to have effect. The provisions of section 6(3) of the Alexandra Park and Palace Act 1985 will cease to have effect.

2. Administration of Charity. The Charity and the property thereof shall continue to be regulated by the provisions of the Alexandra Park and Palace Acts and Order 1900 to 1985 as varied or affected by the provisions of this Scheme.

3. Power to lease. The Trustees may, subject to the consent by Order of the Charity Commissioners, grant a lease of the whole or part or parts of the Palace buildings and the immediate surrounding area (which for the purpose of identification only is shown coloured red on the plan deposited with the Charity Commissioners under number 46278) for a term not exceeding 125 years at the best rent reasonably obtainable regard being had to the purpose of the Alexandra Park and Palace Acts and Order 1900 to 1985, provided that the Trustees may not grant any such lease which permits a use otherwise than is consistent with the said purposes.

4. Questions under the Scheme. Any question as to the construction of this Scheme or as to the regularity or the validity of any acts done or about to be done under this Scheme may be determined by the Commissioners upon such application made to them as they shall think sufficient.

(3) 1900 c. cclix (63 & 64 Vict.).

(4) 1913 c. cxi (3 & 4 Geo.5).

(5) S.I.1966/199.

(6) 1985 c. xxiii.

Sealed by Order of the Commissioners this day of 2003.

L.S.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order gives effect to a Scheme of the Charity Commissioners for the Charity known as Alexandra Park and Palace, which is regulated by the Alexandra Park and Palace Acts and Order 1900 to 1985.

The Scheme empowers the trustees to lease the whole, or part or parts, of the Palace and its immediate surrounding area for a term not exceeding 125 years, subject to obtaining the consent, by Order made under the Charities Act 1993, of the Charity Commissioners. The Scheme does not amend the purposes for which either the Park or the Palace are held on trust.