
STATUTORY INSTRUMENTS

1996 No. 183

**The Local Government Reorganisation
(Wales) (Charities) Order 1996**

Supplemental provision to section 49 of the Local Government (Wales) Act 1994

2.—(1) The following provisions shall have effect in relation to the application of section 49 of the Local Government (Wales) Act 1994 (Charities).

(2) Where, immediately before the commencement of section 49, any power with respect to a charity was vested in an old authority, that power shall vest in the appropriate council as determined in accordance with the provisions of section 49(4) or, where section 49(4) does not apply, in accordance with section 49(5).

(3) References in paragraph (2) and section 49(2) to a power with respect to a charity do not include any power vested in an old authority, proper officer or other office holder by virtue of being a trustee thereof.

(4) Where—

- (a) section 49(2) applies, but section 49(1) does not apply, or
- (b) section 49(3) applies,

the provisions of subsection (4) shall nevertheless apply if the property of the charity in question is held for the benefit of any area or persons as referred to in that subsection.

(5) Where there are more than two principal councils in whose areas fall—

- (a) the specified area under section 49(4), or
- (b) the area of the old authority in question under section 49(5),

the reference in each of those provisions to “the greater part” shall, in any such case, be construed as a reference to “the greatest part”.

(6) Any rights and liabilities of an old authority arising from that authority holding as trustee property to which section 49 applies shall transfer to the new principal council in which the property is vested.