

Sealed 9th November 1995

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General Charities - 1. Lovelace's
Charity
2. The Lovelace
Educational
Foundation

CD(T)
237,724

Scheme including appointment of
Trustees

CHARITY COMMISSION

In the matter of the following Charities:-

1. The Charity called Lovelace's Charity regulated by a Scheme set forth in the schedule to an Order of the High Court of Justice (Chancery Division) of the 7th February 1887, as varied or affected by Schemes of the Charity Commissioners of the 19th October 1928, the 23rd November 1951 and the 13th January 1965;
2. The Charity called The Lovelace Educational Foundation constituted by an Order made by the Charity Commissioners on the 27th August 1907 under the Board of Education Act 1899 s.2(2); and

In the matter of the Charities Act 1993.

THE CHARITY COMMISSIONERS FOR ENGLAND AND WALES HEREBY ORDER that the following scheme be approved and established as the Scheme for the regulation of the above-mentioned Charity:-

S C H E M E

1. Administration of Charity. (1) The above-mentioned Charities and the property thereof specified in the schedule hereto and all other the property (if any) of the Charities shall be administered and managed together as one Charity (hereinafter referred to as the Charity) subject to and in accordance with the provisions of this Scheme by the body of Trustees hereinafter constituted.

(2) The name of the Charity shall be the Lovelace Trust or such other name as the Trustees from time to time by resolution may decide with the prior approval of the Charity Commissioners.

2. Investment of cash. All sums of cash now or at any time belonging to the Charity, other than sums of cash needed for immediate working purposes, shall be invested in trust for the Charity.

TRUSTEES

3. Trustees. The body of Trustees shall consist when complete of three competent persons.

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4. First Trustees. The following persons shall be the first Trustees and subject to the provisions hereinafter contained for determination of trusteeship shall hold office for the following periods respectively:

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Michael Lovelace Browning, of Elm Tree Farm, Hallatrow, in the County of Avon,

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for five years from the date of this Scheme and

Alan Campbell Bateson, of "Millstone", 31 Douglas Avenue, Exmouth, Devon,

with

for three years from the said date and

John Alan Lovelace Carter, of Badgers Hatch, High Hurlands Estate, Liphook, Hampshire,

for one year from the said date.

5. Future Trustees. Every future Trustee shall be appointed for a term of five years by a resolution of the Trustees passed at a special meeting of which not less than 21 days' notice has been given and may be so appointed not more than one month before the term of an existing Trustee expires with effect from the date of expiry but so that the latter shall not vote on the matter.

6. Declaration by Trustees. No person shall be entitled to act as a Trustee whether on a first or on any subsequent entry into office until after signing in the minute book of the Trustees a declaration of acceptance and of willingness to act in the trusts of this Scheme.

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7. Determination of Trusteeship. A Trustee shall cease to be a Trustee if he or she:

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(1) is disqualified from acting as a Trustee by virtue of section 72 of the Charities Act 1993; or

(2) becomes incapable (in the opinion of the Trustees) by reason of illness, injury or mental disorder of managing his or her own affairs; or

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- (3) is absent without the permission of the Trustees from all their meetings held within a period of one year and the Trustees resolve that his or her office be vacated; or
- (4) gives not less than one month's notice in writing of his or her intention to resign (but only if at least two Trustees will remain in office when the notice of resignation is to take effect).

8. Vacancies. Upon the occurrence of a vacancy the Trustees shall cause a note thereof to be entered in their minute book at their next meeting. Any competent Trustee may be re-appointed.

9. Minutes. The Trustees shall keep, in books maintained for the purpose, minutes of the proceedings of their meetings.

10. Accounts and annual report. (1) Until such time as part VI of the Charities Act 1993 comes into force, statements of account in relation to the Charity shall be prepared and transmitted to the Commissioners in accordance with the Charities Act 1960, except if and in so far as the Charity is excepted by Order or regulations.

(2) Upon Part VI of the Charities Act 1993 coming into force, the Trustees shall comply with their obligations under that Act with regard to:

- (a) the keeping of accounting records for the Charity;
- (b) the preparation of annual accounts for the Charity;
- (c) the auditing or independent examination of the statements of account of the Charity;
- (d) the transmission of the statements of account of the Charity to the Commissioners; and
- (e) the preparation of an annual report and its submission to the Commissioners.

11. Annual return. The Trustees shall comply with their obligations under the Charities Act 1993 with regard to the preparation of an annual return and its transmission to the Commissioners.

12. General power to make regulations. Within the limits prescribed by this Scheme the Trustees shall have full power from time to time to make regulations for the management of the Charity and for the conduct of their business including the summoning of meetings, the deposit of money at a proper bank and the custody of documents.

13. Clerk. The Trustees may appoint as clerk one of their number without remuneration who shall be dismissable at their pleasure or some other fit person at such reasonable terms as to notice within the limits permitted by law and otherwise as they think fit.

14. Expenses of management. The Trustees shall first defray out of the income of the Charity all the proper costs, charges and expenses of and incidental to the administration and management of the Charity.

15. Application of income. (1) Subject to payment of the expenses aforesaid the Trustees shall apply the income of the Charity in relieving either generally or individually persons under the age of 25 years who are in conditions of need, hardship or distress with a preference for such persons who are relations of John Lovelace (by whose will proved at London on the 8th May 1806 the above-mentioned Charities were founded), by making grants of money or providing or paying for items, services or facilities calculated to reduce the need, hardship or distress of such persons.

(2) The Trustees may pay for such items, services or facilities by way of donations or subscriptions to institutions or organisations which provide or undertake in return to provide such items, services or facilities for such persons.

16. Restrictions. In applying the income of the Charity the Trustees shall observe the following restrictions:

- (1) They shall not apply any part of the income directly in relief of rates, taxes or other public funds but may apply income in supplementing relief or assistance provided out of public funds.
- (2) They shall not commit themselves to repeat or renew the relief grant on any occasion in any case.

17. Appropriation of benefits. The appropriation of the benefits of the Charity shall be made by the Trustees at meetings of their body and not separately by any individual Trustee or Trustees: Provided that the Trustees from time to time may appoint two or more members of their body to be a committee for dealing with any cases of emergency but all acts and proceedings of such committees shall be reported in due course to the Trustees.

18. Trustees not to be personally interested. No Trustee shall receive remuneration or be interested in the supply of work or goods, at the cost of the Charity.

19. Questions under 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 shall be determined by the Commissioners upon such application made to them for the purpose as they think sufficient.

SCHEDULE

Charities 1 and 2 above jointly

4884 Income Shares in the Charities Official Investment Fund

£175.91 cash on deposit account at the Exeter branch of National Westminster Bank PLC.

20/1/95
2813196
733.56
721 60 = £25,243 £20582.7

£515.25 cash on current account at the said branch of the said bank.

This schedule is made up to the 17th October 1995.

Sealed by Order of the Commissioners this 9th day of November 1995.



[Handwritten signature]

ASSISTANT COMMISSIONER

L.S.