

Guidelines for making an application for the consent to an Exchange of Charity property

Applications for consent to Exchange must be completed in duplicate and signed by not less than two-thirds of the trustees (see note on trustees).

Brief particulars of the application should also be set out in the enclosed printed form entitled "Memo for the Authority."

At 4 and 5 of the Memo a short description of both properties is all that is necessary, but it must give the measurements of the area of the property as this will have a bearing on the adequacy of the price.

When returning the completed forms, I would be obliged for any of the undermentioned:

1. A copy of the Deed vesting the property in the Charity applicants for the Authority's consent.
2. A copy of the Deed or other Instrument setting out the charitable trusts affecting the property (in the absence of a declared Charitable Trust please specify the charitable purposes for which the property is used on the form entitled "Memo for the Authority" at item 9).
3. An independent Auctioneers Valuation of the full open market value of both properties and certifying that there is equality of exchange.
4. The Trustees' proposals for the application of any monetary consideration involved in the transaction.
5. The Registered Charity Number should be provided on both the Memo for the Authority and the Exchange Forms.

Photocopies of documents submitted with the applications will not be returned when the application has been processed unless a specific request to return them is received.

Charity:

Registered Charity No.

MEMO FOR THE AUTHORITY FOR THE

PROPERTY:

1. **APPLICATION** To Sanction Exchange of Trust Property
(e.g. sale, lease, transfer)

2. **APPLICATION:**

3. **APPLICANTS:**
(Applicants who must
be at least two-thirds
in number of the
Trustees)

4. **PARTIES TO EXCHANGE ALSO QUOTE REGISTERED CHARITY
NUMBER:**

5. **PROPERTY ACQUIRED BY THE TRUSTEES:**

6 **AUCTIONEER:**

7. **PROPERTY TRANSFERRED FROM THE TRUSTEES:**

8. **AUCTIONEER:**

6. **SOLICITORS:**

7. **TENURE:**

8. **TRUST ATTACHING TO THE PREMISES:**

9. **TRUSTEES PROPOSALS FOR THE EXCHANGE AND THE
BENEFIT ACCRUING TO THE CHARITY:**

Solicitor.

Dated this day of

NOTE ON TRUSTEES

A Deed appointing New Trustees should be signed by:-

- (a) a person said to have been given a power of appointment in the Original Trust Deed, or
- (b) a surviving or continuing Trustee who signed the Deed at a time when there was a vacancy for a new Trustee or,

if there were no Trustees available to make the application and the personal representative of the last surviving Trustee is alive, he may make the application for liberty to sell the property in his capacity as a personal representative of the last surviving Trustee, or he should appoint new trustees. If this is not possible, an application should be made to the Authority.