

# PROJET DE LOI

ENTITLED

## **The Mansell Trust (Guernsey) Law, 2007** \*

*[CONSOLIDATED TEXT]*

### **NOTE**

*This consolidated version of the enactment incorporates all amendments listed in the footnote below. It has been prepared for the Guernsey Law website and is believed to be accurate and up to date, but it is not authoritative and has no legal effect. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.*

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\* No. XII of 2007; as amended by the Administrator of Income Tax (Guernsey) (Transfer of Functions) Ordinance, 2009 (No. VII of 2009, Recueil d'Ordonnances Tome XXXIII, p. 472); the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016 (No. IX of 2016); the Director of Income Tax (Transfer of Functions) (Guernsey) Ordinance, 2018 (No. \*\* of 2018).

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## **The Mansell Trust (Guernsey) Law, 2007**

### ARRANGEMENT OF SECTIONS

1. Dissolution of the Mansell Trust and use of trust property.
2. Interpretation.
3. Citation.
4. Commencement.

## **The Mansell Trust (Guernsey) Law, 2007**

**THE STATES**, in pursuance of their Resolution of the 25<sup>th</sup> October, 2006<sup>a</sup>, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Island of Guernsey.

### **Dissolution of the Mansell Trust and use of trust property.**

1. On the date of the commencement of this Law –
  - (a) the Mansell Trust shall be dissolved,
  - (b) any trust property accruing to the present trustees, less any expenses and outgoings properly incurred, shall be paid to the Friends of St Julian's in such manner as the present trustees think fit,
  - (c) upon payment of the trust property, the present trustees shall be discharged and absolved from all obligations and liabilities in respect of the Mansell Trust and in respect of the trust property (other than any obligation or liability subsisting at the date of the commencement of this Law), and
  - (d) upon receipt of the trust property, the Friends of St Julian's shall apply the same in accordance with their constitution and to their charitable objects and purposes.

### **Interpretation.**

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<sup>a</sup> Article XIV of Billet d'État No. XVII of 2006.

2. (1) In this Law –

**"the Friends of St Julian's"** means member number 045 of the Association of Guernsey Charities, (formerly known as "Friends of St Julian's Hostel or Friends of St Julian's House") and recognised as exempt from income tax by the [Director of the Revenue Service], Guernsey, under the provisions of section 40(k) of the Income Tax (Guernsey) Law 1975,

**"the Mansell Trust"** means the trust created by deed of trust dated 30<sup>th</sup> April, 1929 pursuant to the will dated 15<sup>th</sup> May, 1925 and codicil thereto dated 15<sup>th</sup> July, 1927 of Emma Carolina Mansell and following agreement between the States and the sole surviving executor of that will, Herbert Arthur Gliddon, the purpose of the trust being for the "special benefit of the inmates for the time being of the Hospital of the town and the parish of St Peter Port and the Country Hospital, the Town and Country Asylums, or such general Asylum as may in the future be erected in substitution for the present Town and Country asylums, and the Childrens Home in such a manner and in such proportions in accordance with the premises as the Trustees shall from time to time in their discretion think fit.",

**"the present trustees"** means the present trustees of the Mansell Trust, that is to say, the persons holding the office of [President] of the States [Committee for the Environment & Infrastructure] and [President] of the States [Committee for Health & Social Care], respectively, and

**"the States"** means the States of Guernsey,

**"the trust property"** means all the property (whether capital or income) subject to the trusts of the Mansell Trust.

(2) Any reference in this Law to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

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## NOTES

*In section 2,*

*the words in square brackets in the definition of the expression "the Friends of St Julian's" were substituted by the Director of Income Tax (Transfer of Functions) (Guernsey) Ordinance, 2018, section 1, with effect from 1st November, 2018, subject to the savings and transitional provisions in section 2 of the 2018 Ordinance;<sup>1</sup>*

*the words in the first and second pairs of square brackets in the definition of the expression "the present trustees" were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 12(a), with effect from 1st May, 2016;*

*the words in the third and fourth pairs of square brackets in the definition of the expression "the present trustees" were substituted by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 2, Schedule 1, paragraph 5, with effect from 1st May, 2016.*

*The functions, rights and liabilities of the Public Services Department and of its Minister or Deputy Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Committee for the Environment & Infrastructure and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 12(a), with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.*

*The functions, rights and liabilities of the Health and Social Services Department and of its Minister or Deputy Minister arising under or by virtue of this Law were transferred to and vested in, respectively, the Committee for Health & Social Care and its President or Vice-President by the Organisation of States' Affairs (Transfer of Functions) Ordinance, 2016, section 1, Schedule 1, paragraph 5, with effect from 1st May, 2016, subject to the savings and transitional provisions in section 3 of the 2016 Ordinance.*

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## Citation.

3. This Law may be cited as the Mansell Trust (Guernsey) Law, 2007.

**Commencement.**

4. This Law shall come into force on the 28<sup>th</sup> day after the day of its registration on the records of the Island of Guernsey.

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**NOTE**

*The Law was registered on the records of the Island of Guernsey on 1st October, 2007.*

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**1** These words were previously substituted by the Administrator of Income Tax (Guernsey) (Transfer of Functions) Ordinance, 2009, section 1, with effect from 25th February, 2009, subject to the savings and transitional provisions in section 2 of the 2009 Ordinance.