EXPLANATORY MEMORANDUM TO

The Charities (Edgehill Theological College Scheme) Order (Northern Ireland) 2022

SR 2022 No. 294

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department for Communities to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under section 32(2) of the Charities Act (Northern Ireland) 2008 and is subject to the negative resolution procedure.

2. Purpose

2.1. To give effect to the scheme made under section 32 of the Charities Act (Northern Ireland) 2008 'the Act ', made by the Charity Commission for Northern Ireland 'the Commission' on the 10 June 2022.Which transfers the Edgehill Endowments to the Statutory Trustees and the dissolves the Edgehill Governors

3. Background

3.1. The Edgehill Governors were incorporated by statute under the Methodist College Act (Northern Ireland) 1928. The institution is treated as a charity pursuant to the Charities Act 2008 (Transitional Provision) Order (Northern Ireland) 2013. The Governors are the governing body for the Edgehill College and hold the Edgehill Endowments, other than the Edgehill Premises, on trust for the purposes specified in section 41 of the Methodist College Act (Northern Ireland) 1928. It is considered that the separate and distinct legal structure of the Edgehill Governors is unnecessary and unwieldy, and that the Edgehill Endowments could more efficiently be applied and managed by Statutory Trustees. The Commssion made a scheme on the 10 June 2022 and this Statutory Rule is required to give the scheme effect.

4. Consultation

4.1. There is no requirement to consult on this Order.

5. Equality Impact

5.1. In accordance with its duty under section 75 of the Northern Ireland Act 1998, the Department has conducted a screening exercise on this Order and has concluded that it does not have significant implications for equality of opportunity. In light of this, the Department considers that an Equality Impact Assessment is not necessary.

6. Regulatory Impact

6.1. The Order does not require a Regulatory Impact Assessment as there is no significant impact on costs to business, charities or voluntary bodies.

7. Financial Implications

7.1. None

8. Section 24 of the Northern Ireland Act 1998

8.1. The Department has considered section 24 of the Northern Ireland Act 1998 and is satisfied that the Order–
(a) is not incompatible with any of the Convention rights,
(b) does not discriminate against a person or class of person on the ground of religious belief or political opinion, and
(c) does not modify an enactment in breach of section 7 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable

10. Parity or Replicatory Measure

10.1. Not applicable

11. Additional Information

11.1. Not applicable