EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

1. This Order, which has effect from 23rd August, 1948, amends the First Schedule to Order L.R. (3) (S.I. 1948 No. 19) which fixed the minimum remuneration to be paid to workers in relation to whom the Licensed Residential Establishment and Licensed Restaurant Wages Board operates.

2. The principal change is an increase in the weekly minimum remuneration for workers employed in certain defined areas. The new rates are set out in italics.

CHARITY, ENGLAND

The Charities for Disabled Persons Regulations, 1948

1948 No. 1455

Made - - - -	*22nd June*, 1948
Coming into Operation	*5th July*, 1948

Whereas by section 29 (1) of the National Assistance Act, 1948, it is enacted that a local authority shall have power to make arrangements for promoting the welfare of persons to whom that section applies, that is to say persons who are blind, deaf or dumb, and other persons who are substantially and permanently handicapped by illness, injury, or congenital deformity or such other disabilities as may be prescribed by the Minister of Health. 11 & 12 Geo. 6. c. 29.

And Whereas by section 41 of the said Act it is enacted:

(1) The War Charities Act, 1940, shall, subject to the provisions of this section, have effect as if throughout that Act references to a war charity included references to any charity for disabled persons, that is to say, any fund, institution, association or undertaking, whether established before or after the passing of this Act, having for its sole or principal object or among its principal objects the promotion of the welfare of persons to whom section 29 of this Act applies. 3 & 4 Geo. 6. c. 31.

(2) In the application of the said Act of 1940 to charities for disabled persons, the provisions of that Act shall have effect subject to the following provisions of this subsection:—

(*a*) the registration authorities shall be the councils of counties, county boroughs and large burghs;

(*b*) in relation to charities not being war charities as defined in the said Act of 1940 as originally enacted, subsection (3) of section one of that Act shall be amended by the substitution for the reference to the passing of that Act of a reference to the coming into operation of this section;

(*c*) notwithstanding anything in subsection (1) of section two of the said Act of 1940, the registration authority may refuse to register a charity if they are satisfied that its objects are adequately attained by a charity registered in accordance with this section;

(*d*) regulations made by the Charity Commissioners under section four of the said Act of 1940 shall be subject to the approval of the Minister of Health instead of the Secretary of State;

(*e*) paragraph (*e*) of subsection (1) of the said section four shall have effect as if for the words " under this Act " there were substituted the words " in accordance with the National Assistance Act, 1948 ".

(3) Regulations made under section four of the said Act of 1940 shall provide, in the case of a charity for disabled persons which immediately before the coming into operation of this section was registered under the Blind Persons Act, 1920, or the War Charities Act, 1940, for the registration to have effect as registration in accordance with this section, and shall make such consequential provision as may be necessary for that purpose.

10 & 11 Geo. 5. c. 49.

Now therefore the Charity Commissioners for England and Wales, in exercise of their powers in this behalf and with the approval of the Minister of Health as hereinafter signified, do hereby make the following Regulations:—

1. Subject as hereinafter provided the War Charities Regulations, 1940(**a**), (which are hereinafter referred to as the 1940 Regulations) shall have effect as if throughout those regulations references to a war charity included references to a charity for disabled persons as defined in section 41 (1) of the National Assistance Act, 1948, and as if in respect of a charity for disabled persons the expression " registration authority " meant the registration authority laid down in section 41 (2) (*a*) of the said Act of 1948 (who are hereinafter referred to as the appropriate authority).

2. Any charity for disabled persons registered at the passing of the said Act of 1948 under the Blind Persons Act, 1920, or the War Charities Act, 1940, shall be deemed to be registered in accordance with the said Act of 1948 by the appropriate authority and the arrangements set forth below shall be carried out:

(i) If the registration authority under the said Acts of 1920 or 1940 are the appropriate authority, they shall transcribe into the register kept by them under the said Act of 1940 the existing particulars of registration and mark the register sheet " Charity for Disabled Persons " or, if the said particulars are already entered in the said register, mark the existing register sheet " Charity for Disabled Persons ". In either case the appropriate authority shall send to the Charity Commissioners a duplicate register sheet similarly marked.

(ii) If the registration authority under the said Acts of 1920 or 1940 are not the appropriate authority, they shall transmit to the appropriate authority the existing particulars of registration of the charity and shall enter a note accordingly in the register kept by them under the said Act of 1920 or the said Act of 1940 as the case may be. The appropriate authority shall enter the particulars in the register kept by them under the said Act of 1940, mark the register sheet " Charity for Disabled Persons " and send to the Charity Commissioners a duplicate register sheet similarly marked. The appropriate authority shall notify that the charity has been registered to the registration authority under the said Acts of 1920 or 1940 who shall then deliver to the appropriate authority all books, papers, accounts and other records in their possession relating exclusively to the charity.

(**a**) S.R. & O. 1940 (No. 1533) I, p. 104.

(iii) The appropriate authority shall issue to the committee of the charity a fresh certificate of registration in the form prescribed in number 3 of these regulations for which no fee shall be payable. The committee shall surrender to the appropriate authority the original certificate of registration.

3. Certificates of registration of charities for disabled persons shall be in the form set forth in the fourth schedule to the 1940 Regulations, save that after the heading " War Charities Act, 1940 " shall be added the heading " National Assistance Act, 1948 " and save that for the words " Registered under the above-mentioned Act " shall be substituted the words " Registered in accordance with the National Assistance Act, 1948 ".

4. When application is made for the registration of a charity for disabled persons the statement of intention to apply for registration required to be inserted in newspapers shall be in the form set forth in the third schedule to the 1940 Regulations, save that after the heading " War Charities Act, 1940 " shall be added the heading " National Assistance Act, 1948 " and save that for the words " registration under the above-mentioned Act " shall be substituted the words " registration in accordance with the National Assistance Act, 1948 ".

5. When an appeal is made to the public or an attempt is made to raise money for a charity for the disabled number 27 of the 1940 Regulations shall have effect, save that for the words " Registered under the War Charities Act, 1940 " shall be substituted the words " Registered in accordance with the National Assistance Act, 1948 ".

6. Application may be made to the Charity Commissioners to determine whether a fund, institution, association or undertaking is a charity for disabled persons by anyone mentioned in number 30 of the 1940 Regulations.

7. These regulations may be cited as the Charities for Disabled Persons Regulations, 1948, and shall come into force on the 5th July, 1948.

8. These regulations shall not extend to Scotland.

Sealed by Order of the Charity Commissioners for England and Wales this 22nd day of June, 1948.

(L.S.) *M. J. Richards,*
Secretary.

I approve the above Regulations.

Aneurin Bevan,
Minister of Health.

Dated this 29th day of June, 1948.