

15 & 16 GEO. 6  
& 1 ELIZ. 2

*National Trust for  
Scotland Order Confirmation  
Act, 1952*

Ch. iv



**CHAPTER iv**

An Act to confirm a Provisional Order under the Private Legislation Procedure (Scotland) Act 1936 relating to the National Trust for Scotland. [22nd May 1952.]

**W**HEREAS the Provisional Order set forth in the schedule hereunto annexed has been made by the Secretary of State under the provisions of the Private Legislation Procedure (Scotland) Act 1936 and it is requisite that the said Order should be confirmed by Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

1. The Provisional Order contained in the schedule hereunto annexed is hereby confirmed. Confirmation  
of Order in  
schedule.
2. This Act may be cited as the National Trust for Scotland Short title. Order Confirmation Act 1952.

## SCHEDULE

### THE NATIONAL TRUST FOR SCOTLAND

*Provisional Order to confer further powers upon the National Trust for  
Scotland for Places of Historic Interest or Natural Beauty.*

WHEREAS the National Trust for Scotland for Places of Historic Interest or Natural Beauty (in this Order called "the National Trust for Scotland") was incorporated by the National Trust for Scotland Order 1935:

And whereas by the National Trust for Scotland Order 1938 and the National Trust for Scotland Order 1947 the purposes of the National Trust for Scotland were extended as set forth therein and further powers were conferred on the National Trust for Scotland:

And whereas the National Trust for Scotland was established for the general purposes of promoting the permanent preservation for the benefit of the nation of lands and buildings in Scotland of historic or national interest or natural beauty and also of articles and objects of historic or national interest and as regards lands for the preservation (so far as practicable) of their natural aspect and features and animal and plant life and as regards buildings for the preservation (so far as practicable) of their architectural or historic features and contents so far as of national or historic interest:

And whereas the powers of investment vested in the Council of the National Trust for Scotland under the National Trust for Scotland Orders 1935 to 1947 are unduly restricted and it is expedient in order to carry out more effectively the objects and purposes of the National Trust for Scotland that the powers of investment of the said Council should be enlarged and extended as provided in this Order:

And whereas the purposes aforesaid cannot be effected without an Order confirmed by Parliament under the provisions of the Private Legislation Procedure (Scotland) Act 1936:

Now therefore in pursuance of the powers contained in the said Act the Secretary of State orders as follows:—

Short and  
collective  
titles and  
commencement  
of Order.

1.—(1) This Order may be cited as the National Trust for Scotland Order 1952 and shall be construed as one with the National Trust for Scotland Order 1935 the National Trust for Scotland Order 1938 and the National Trust for Scotland Order 1947 and this Order and the National Trust for Scotland Order 1935 the National Trust for Scotland Order 1938 and the National Trust for Scotland Order 1947 may be cited together as the National Trust for Scotland Orders 1935 to 1952.

(2) This Order shall come into operation on the date of the passing of the Act confirming this Order.

Interpretation.

2. In this Order the several words and expressions to which meanings are assigned by the National Trust for Scotland Order 1935 and the National Trust for Scotland Order 1938 shall have the same respective meanings.

3. Section 28 (Application of revenue) of the Order of 1935 shall be read and have effect as if the following words occurring at the end of the said section were omitted therefrom (that is to say):—

Partial repeal  
of section 28  
of Order of  
1935.

“The council shall have the powers of investment conferred upon trustees by the Trusts (Scotland) Act 1921 or by any Act amending that Act. All investments so to be made shall if a finance committee has been appointed in accordance with the provisions of this Order be made with the advice and under the direction of the said finance committee.”

4.—(1) The Council may invest any balance of the funds belonging to or held by the National Trust for Scotland from time to time which the Council are by section 28 (Application of revenue) of the Order of 1935 (as amended by the immediately preceding section of this Order) authorised to invest and also subject to the provisions of paragraph (4) of section 4 (Exercise of extended powers) of the National Trust for Scotland Order 1947 any other moneys from time to time received or held by the National Trust for Scotland on capital account in or upon all or any of the following investments securities and obligations (namely):—

Powers of  
investment.

- (a) investments in which trustees are authorised to invest trust funds according to the law of Scotland or the law of England for the time being;
- (b) in the purchase of heritable or real or leasehold property;
- (c) in or upon the public stocks or funds or Government securities of any part of Her Majesty's dominions or of the territories under Her protection or the United States of America;
- (d) in or upon the deposit receipts bonds debentures debenture stock mortgages or securities of any corporation company or body whether municipal railway public-utility commercial industrial investment-trust mortgage insurance banking or otherwise registered or incorporated in the United Kingdom of Great Britain and Northern Ireland or any part of Her Majesty's dominions or of the territories under Her protection or the United States of America or in or upon the guaranteed lien preference or preferred or ordinary or deferred or common stocks or shares of any such corporation company or body or upon any securities whatsoever issued or guaranteed by any such corporation company or body and in the case of banks and insurance companies whether or not there is liability for calls or other payments. Provided that the National Trust for Scotland may retain and hold any investments which may be transferred to the National Trust for Scotland notwithstanding that such investments may not be of the nature authorised.

(2) All investments made by the Council shall if a finance committee has been appointed in accordance with the provisions of the Order of 1935 be made with the advice and under the direction of the said finance committee.

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Amendment of  
section 4 of  
Order of 1938.

5. Section 4 (Extension of powers of National Trust for Scotland) of the National Trust for Scotland Order 1938 shall be read and have effect as if the words "of a nature authorised by the general law for the investment of trust funds or" occurring therein were omitted therefrom.

Costs of Order.

6. The costs charges and expenses of and incidental to the preparation obtaining and confirming of this Order or otherwise in relation thereto shall be paid by the National Trust for Scotland out of the funds of the National Trust for Scotland.

*Table of Statutes referred to in this Act*

Short title	Session and chapter
Private Legislation Procedure (Scotland) Act 1936.	26 Geo. 5 & 1 Edw. 8. c. 52.

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