

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Orders that from today, the

9 October 2009

this

SCHEME

will govern the charity

formerly known as

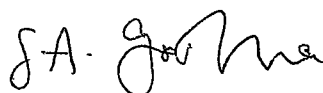
THE KIRK COLLECTION OF BYGONES

and now to be known as

THE KIRK COLLECTION

at

York, North Yorkshire



Authorised Officer

1. Definitions

In this scheme:

“the charity” means the charity identified at the beginning of this scheme.

“the collection” means the exhibits donated to the charity by the late John Lamplugh Kirk and others on his behalf, as recorded in an Inventory held by the custodian trustee.

“the Commission” means the Charity Commission for England and Wales.

ADMINISTRATION

2. Administration

The charity is to be administered in accordance with this scheme. This scheme replaces the former trusts of the charity.

3. Name of the charity

The name of the charity is The Kirk Collection.

OBJECT

4. Object of the charity

The object of the charity is to advance the education of the public by the exhibition of the collection in York.

POWERS OF THE MANAGING TRUSTEE

5. Powers of the managing trustee

In addition to any other powers which it has, the managing trustee may exercise the following power in furtherance of the object of the charity:

Power to make rules and regulations consistent with this scheme for the management of the charity.

TRUSTEES

6. Custodian trustee

York City Council will be the custodian trustee of the charity.

7. Trustee

York Museum & Gallery Trust (1092466) is the managing trustee of the charity.

CHARITY PROPERTY

8. Use of income and capital

(1) The managing trustee must firstly apply:

- (a) the charity's income; and
- (b) if the managing trustee thinks fit, expendable endowment; and
- (c) when the expenditure can properly be charged to it, its permanent endowment

in meeting the proper costs of administering the charity and of managing its assets.

- (2) After payment of these costs, the managing trustee must apply the remaining income in furthering the object of the charity.
- (3) The managing trustee may also apply for the object of the charity:
 - (a) expendable endowment; and
 - (b) permanent endowment, but only on such terms for the replacement of the amount spent as the Commission may approve by order in advance.

GENERAL PROVISIONS

9. Questions relating to the Scheme

The Commission may decide any question put to it concerning:

- (1) the interpretation of this scheme; or
- (2) the propriety or validity of anything done or intended to be done under it.