

THE CHARITY COMMISSION FOR ENGLAND AND WALES

Under the power given in the Charities Act 1993

Order that from today, the

DATE

the following

SCHEME

will govern the charity known as

**THE ROYAL GRAMMAR SCHOOL WORCESTER SCHOOL CHARITY
(527527)**

at

Worcester, Worcestershire

Commission's References:

Sealing:

Case No: 567702

Date: 19 4 2007

1 Definitions

In this Scheme:

“the associated funds” means the funds listed in the first column of the table in the Second Schedule to this Scheme.

“the charity” means The Royal Grammar School Worcester (registered charity number (527527)).

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

“the company” means the charitable company called “The Royal Grammar School Worcester Limited” (registered number []).

“the former trusts” are a scheme of 16 July 1984 as amended by a scheme dated 11 August 1994, as Order of the Secretary of State for Education of 25 April 1996 and Order of the Secretary of State for Education of 13 March 2002 and a scheme dated 26 March 2003

“the trustee” means the Company.

“the trusts” means the provisions which at any given time regulate the purposes and administration of the Charity or the Associated Funds.

ADMINISTRATION

2 Administration

(1) The charity and its property is to be administered in accordance with this Scheme. This Scheme replaces the former trusts of the charity

3 Direction under section 96(5) Charities Act 1993

Subject to any further direction, the Commission direct that the charity and associated funds as at the date of this scheme shall be treated as forming part of the company for the purposes of Part II (registration) and Part IV (accounting) of the Charities Act 1993.

4 Name of the charity

The name of the charity shall be The Royal Grammar School Worcester School charity.

OBJECT AND POWERS

5 Object of the charity

(1) The objects of the charity are the provision and conduct in or near the City of Worcester of a day or day and boarding school or schools for

boys and girls and by ancillary or incidental educational activities and other associated activities for the benefit of the community.

- (2) The land identified in the First Schedule to this scheme must be retained by the trustee for use for the object of the charity.

6 Powers of the Trustee

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

- (1) Power to borrow money and to charge the property of the charity as security for any loan of the charity or the company. (The trustee must comply with the restrictions on mortgaging imposed by section 38 of the Charities Act 1993).
- (2) Power to insure against public liability and, if appropriate employers' liability; and to insure the buildings of the charity to their full value against fire and all other usual risks (except to the extent that the buildings are insured against any of these risks by a tenant)

TRUSTEE

7 Trustee

The company is the trustee of the charity.

CHARITY PROPERTY

8 Transfer of property

- (1) Any land not being identified in the First Schedule to this scheme or other permanent endowment belonging to the charity may be transferred to the company to be held as part of its corporate property for application in furtherance of its objects.
- (2) The trustee may transfer the property not being permanent endowment of the charity, including the business of the charity, to the company to be held as part of its corporate property for application in furtherance of its objects.

9 Use of income and capital

- (1) The trustee must firstly apply:
 - (a) the charity's income; and

- (b) if the 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 (including the repair and insurance of its buildings).

- (2) The trustee must apply the remaining income in furthering the objects of the charity.
- (3) The trustee may also apply for the object of the charity:
 - (a) expendable endowment; and
 - (b) permanent endowment, but only on such terms as permitted in law or as the Commission may approve by order in advance.

AMENDMENT OF SCHEME

10 Power of amendment

- (1) The trustee (subject to the provisions of this clause) may from time to time amend the trusts if it is satisfied that it is expedient in the interests of the charity to do so.
- (2) The trustee must not make any amendment which would have the effect directly or indirectly of:
 - (a) altering or extending the purposes of the charity;
 - (b) authorising the trustee to do anything which is expressly prohibited by the trusts of the charity;
 - (c) causing the charity to cease to be a charity at law;
 - (d) altering or extending the power of amendment that is conferred by this clause.
- (3) The trustee must obtain the prior written approval of the Commission before making any amendment which would have the effect directly or indirectly of:
 - (a) enabling it to spend permanent endowment or capitalise income of the charity;
 - (b) conferring a benefit of any kind on the trustee (or on members of its governing body) or on its successors;

- (c) restricting the existing right of any person (other than the trustee) to appoint or remove the trustee, or to intervene in the administration of the charity, without the consent of that person;
 - (d) varying the name of the charity or the associated funds.
- (4) The trustee must:
- (a) prepare a written memorandum of each amendment that it makes;
 - (b) send to the Commission a certified copy of the memorandum within three months of the date of making the amendment; and
 - (c) retain the memorandum as part of this governing document.

GENERAL PROVISIONS

11 Questions relating to the Scheme

The Commission may decide any question put to them concerning:

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

FIRST SCHEDULE

Permanent Endowment

Land and Buildings

1. Land containing 1.5054 hectares or thereabouts having frontage on The Tything with the buildings thereon known as Royal Grammar School Worcester.
2. Land containing 3.0472 hectares or thereabouts having a frontage on the west of Flag meadow and being playing fields of the above-mentioned school.
3. Land containing 0.2184 hectares or thereabouts situate on the north east side on Little London with the buildings thereon being the land registered under the Land Registration Acts 1925 to 1986 under title HW 44440.

Investments

4. 12688.41 Income shares in the Charities Official Investment Funds.