This chapter discusses ‘cy-près’, which is an application to alternative charitable purposes should a charity cease to operate but still possess assets. One possibility is that the assets should be returned to those who donated them on the basis of a resulting trust, in much the same way as a surplus on the failure of a private trust will return to the original contributors. However, charitable trusts are treated differently from private trusts because they have a public character. The law regards property given for any specific charitable purpose as given not merely to that particular purpose but dedicated to charity in the general sense. It follows that if the particular purpose for which the property was given fails, it will be applied, under a scheme drawn up by the Charity Commission, to other similar charitable purposes and will not return to the donor under a resulting trust.
17. Cy-près: redistributing funds and changing purposes

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