



Charities Act 2011

2011 CHAPTER 25

PART 11

CHARITABLE INCORPORATED ORGANISATIONS (CIOS)

CHAPTER 4

CONVERSION, AMALGAMATION AND TRANSFER

Amalgamation of CIOs

235 Application for amalgamation of CIOs

- (1) Any two or more CIOs (“the old CIOs”) may, in accordance with this section, apply to the Commission to be amalgamated, and for the incorporation and registration as a charity of a new CIO (“the new CIO”) as their successor.
- (2) The old CIOs must supply the Commission with—
 - (a) a copy of the proposed constitution of the new CIO,
 - (b) such other documents or information as may be prescribed by CIO regulations, and
 - (c) such other documents or information as the Commission may require for the purposes of the application.
- (3) In addition to the documents and information referred to in subsection (2), the old CIOs must supply the Commission with—
 - (a) a copy of a resolution of each of the old CIOs approving the proposed amalgamation, and
 - (b) a copy of a resolution of each of the old CIOs adopting the proposed constitution of the new CIO.
- (4) The resolutions referred to in subsection (3) must have been passed—

Changes to legislation: *Charities Act 2011, Section 235 is up to date with all changes known to be in force on or before 05 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (a) by a 75% majority of those voting at a general meeting of the CIO (including those voting by proxy or by post, if voting that way is permitted), or
 - (b) unanimously by the CIO's members, otherwise than at a general meeting.
- (5) The date of passing of such a resolution is—
- (a) the date of the general meeting at which it was passed, or
 - (b) if it was passed otherwise than at a general meeting, the date on which provision in the CIO's constitution or in regulations made under section 223 treats it as having been passed (but that date may not be earlier than that on which the last member agreed to it).

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 106(1)-(1B) substituted for s. 106(1) by [2022 c. 6 s. 16\(a\)](#)
- s. 322(2)(ea) inserted by [2022 c. 6 Sch. 2 para. 26](#)
- s. 331A331B and cross-heading inserted by [2022 c. 6 s. 15](#)