



2008 CHAPTER 12

PART 6

APPLICATION OF PROPERTY CY-PRÈS AND ASSISTANCE AND
SUPERVISION OF CHARITIES BY COURT AND COMMISSION

Powers of Commission to make schemes and act for protection of charities, etc.

Power to suspend or remove trustees, etc. from membership of charity

34.—(1) This section applies where the Commission makes—

- (a) an order under section 33(1) suspending from office or employment any trustee, charity trustee, officer, agent or employee of a charity, or
- (b) an order under section 33(2) removing from office or employment any officer, agent or employee of a charity,

and the trustee, charity trustee, officer, agent or employee (as the case may be) is a member of the charity.

(2) If the order suspends the person in question from office or employment, the Commission may also make an order suspending that person's membership of the charity for the period for which that person is suspended from office or employment.

(3) If the order removes the person in question from office or employment, the Commission may also make an order—

- (a) terminating that person's membership of the charity, and
- (b) prohibiting that person from resuming membership of the charity without the Commission's consent.

(4) If an application for the Commission's consent under subsection (3)(b) is made 5 years or more after the order was made, the Commission must grant the application unless satisfied that, by reason of any special circumstances, it should be refused.