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Charities Act 1992

CHAPTER 41

CHARITIES ACT 1992

PART I

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1 Interpretation of Part I, etc.

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2 The register of charities.
3 Status of registered charity (other than small charity) to appear on official publications etc.

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4 Power of Commissioners to require charity's name to be changed.
5 Effect of direction under s. 4 where charity is a company.

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6 General power to institute inquiries.
7 Power of Commissioners to obtain information and documents.
8 Power to act for protection of charities.
9 Supplementary provisions relating to receiver and manager appointed for a charity.
10 Additional powers exercisable by Commissioners in relation to charitable companies.
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12 Supervision by Commissioners of certain Scottish charities.

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13 Commissioners' concurrent jurisdiction with High Court for certain purposes.
14 Trust corporations appointed by Commissioners under 1960 Act.
15 Application of property cy-pres.
16 Common deposit funds.
17 Power of Commissioners to authorise certain ex gratia payments etc. by charities.
18 Dormant bank accounts of charities.

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19 Duty to keep accounting records.
20 Annual statements of accounts.
21 Annual audit or examination of charity accounts.
22 Supplementary provisions relating to audits etc.
23 Annual reports.
24 Special provision as respects accounts and annual reports of exempt and other excepted charities.
25 Public inspection of annual reports etc.
26 Annual returns by registered charities.
27 Offences.

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28 Power of Commissioners to bring proceedings with respect to charities.

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29 Divestment of charity property held by official custodian for charities.
30 Provisions supplementary to s. 29.
31 Divestment in the case of land subject to Reverter of Sites Act 1987.
32 Restrictions on dispositions of charity land.
33 Supplementary provisions relating to dispositions of charity land.
34 Restrictions on mortgaging charity land.
35 Supplementary provisions relating to mortgaging of charity land.
36 Removal of requirements under statutory provisions for consent to dealings with charity land.
37 Release of charity rentcharges.

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39 Extension of powers of investment.

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40 Charitable companies: alteration of objects clause etc.
41 Charitable companies: requirement of consent of Commissioners to certain acts.
42 Charitable companies: name to appear on correspondence etc.

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43 Small charities: power to transfer all property, modify objects etc.

44 Small charities: power to spend capital.

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45 Persons disqualified for being trustees of a charity.
46 Person acting as charity trustee while disqualified.

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47 Minor and consequential amendments of 1960 Act.
48 Amendment of Charitable Trustees Incorporation Act 1872.
49 Amendment of Redundant Churches and Other Religious Buildings Act 1969.
50 Contributions towards maintenance etc. of almshouses.
51 Fees and other amounts payable to Commissioners.
52 Disclosure of information to and by Commissioners.
53 Data protection.
54 Supply of false or misleading information to Commissioners, etc.
55 Restriction on institution of proceedings for certain offences.
56 Enforcement of requirements by order of Commissioners, and other provisions as to orders made by them.
57 Directions of the Commissioners.

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59 Prohibition on professional fund-raiser etc. raising funds for charitable institution without an agreement in prescribed form.
60 Professional fund-raisers etc. required to indicate institutions benefiting and arrangements for remuneration.
60A Other persons making appeals required to indicate institutions benefiting and arrangements for remuneration
60B Exclusion of lower-paid collectors from provisions of section 60A
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62 Right of charitable institution to prevent unauthorised fund-raising.
63 False statements relating to institutions which are not registered charities.

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64 Regulations about fund-raising.
64A Reserve power to control fund-raising by charitable institutions
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65 Interpretation of Part III.

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66 Prohibition on conducting public charitable collections without authorisation.

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67 Applications for permits to conduct public charitable collections.
68 Determination of applications and issue of permits.
69 Refusal of permits.
70 Withdrawal etc. of permits.
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72 Orders made by Charity Commissioners.

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73 Regulations.
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PART IV

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75 Offences by bodies corporate.
76 Service of documents.
77 Regulations and orders.
78 Minor and consequential amendments and repeals.
79 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 —

Section 4

4 The register of charities.

Section 20

20 Power to act for protection of charities.

SCHEDULE 2 —
1 In section 32(2) “connected person”, in relation to a charity,...
2 (1) In paragraph 1(c) “child” includes a stepchild and an...
3 For the purposes of paragraph 1(f) a person controls an...
4 (1) For the purposes of paragraph 1(g) any such connected...

SCHEDULE 3 —

1 In section 1(2) (constitution etc. of Commissioners), for “servants” substitute...
2 In section 8 (receipt and audit of accounts of charities)—...
3 For section 9 substitute— Supply by Commissioners of copies of...
4 In section 16 (entrusting charity property to official custodian)—
5 In section 17 (supplementary provisions as to property vested in...
6 In section 18(1)(b) (concurrent jurisdiction with High Court for certain...
7 In section 19(6) (further powers to make schemes or alter...
8 In section 21 (publicity for proceedings under sections 18 and...
9 In section 22 (common investment schemes)— (a) omit subsection (6);...
10 In section 28 (authorisation by Commissioners of charity proceedings) —
11 In section 30C(1) (charitable companies: status to appear on correspondence,...
12 Omit section 31 (protection of expression “common good”).
13 In section 32 (general obligation to keep accounts)—
14 In section 34(2) (manner of executing documents), in paragraph (c),...
15 After section 40 insert— Service of orders and directions under...
16 In section 41 (enforcement of orders of Commissioners etc.), for...
17 In section 43 (regulations), after subsection (2) insert—
18 In section 45 (construction of references to a charity etc.)—...
19 In section 46 (other definitions)— (a) in the definition of...
20 In each of sub-paragraphs (1) and (2) of paragraph 2...
21 (1) Paragraph 3 of Schedule 1 (procedure of Commissioners) shall...
22 . . . . . .

SCHEDULE 4 —
1 For section 1 of the Charitable Trustees Incorporation Act 1872...
2 In section 2 (estate to vest in incorporated body), omit...
3 For section 3 of the 1872 Act substitute— Applications for...
4 In section 4 of the 1872 Act (nomination of trustees,...
5 In section 5 of the 1872 Act (liability of trustees...
6 After section 6 of the 1872 Act insert— Power of...
7 In section 7 of the 1872 Act (Commissioners to keep...
8 In section 8 of the 1872 Act (enforcement of orders...
9 For section 12 of the 1872 Act substitute— Execution of...
10 For section 14 of the 1872 Act substitute— Interpretation. In this Act— “charity” has the same meaning as in...
11 Omit the Schedule (particulars to be supplied for the purposes...

SCHEDULE 5 — AMENDMENTS OF REDUNDANT CHURCHES AND OTHER RELIGIOUS BUILDINGS ACT 1969
1 AMENDMENTS OF REDUNDANT CHURCHES AND OTHER RELIGIOUS BUILDINGS ACT 1969
2 AMENDMENTS OF REDUNDANT CHURCHES AND OTHER RELIGIOUS BUILDINGS ACT 1969

SCHEDULE 6 — MINOR AND CONSEQUENTIAL AMENDMENTS
1 CLERGY PENSIONS MEASURE 1961 (No.3)
2 FINANCE ACT 1963 (c.25)
3 CATHEDRALS MEASURE 1963 (No.2)

4 LEASEHOLD REFORM ACT 1967 (c.88)
5 SHARING OF CHURCH BUILDINGS ACT 1969 (c.38)
6 LOCAL GOVERNMENT ACT 1972 (c.70)
7 FIRE PRECAUTIONS (LOANS) ACT 1973 (c.11)
8 THEATRES TRUST ACT 1976 (c.27)
9 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (c.30)
10 CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (c. 45)
11 COMPANIES ACT 1985 (c.6)
12 HOUSING ACT 1985 (c.68)
13 HOUSING ASSOCIATIONS ACT 1985 (c.69)
14 FINANCIAL SERVICES ACT 1986 (c.60)
15 COAL INDUSTRY ACT 1987 (c.3)
16 REVERTER OF SITES ACT 1987 (c.15)
17 INCOME AND CORPORATION TAXES ACT 1988 (c.1)

SCHEDULE 7 — Repeals

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Changes and effects yet to be applied to :

- s. 79(6) words repealed by 2006 c. 50 Sch. 8 para. 94(a)Sch. 9
- s. 79(7) repealed by 2006 c. 50 Sch. 8 para. 94(b)Sch. 9
- Sch. 6 para. 10 repealed by 2005 asp 10 sch. 4 para. 8
- Sch. 6 para. 11 repealed by 2006 c. 46 Sch. 16
- Sch. 7 entry repealed by 2006 c. 50 Sch. 8 para. 95Sch. 9