



# Charities Act 1992

## 1992 CHAPTER 41

### PART IV

#### GENERAL

#### 77 Regulations and orders.

- (1) Any regulations or order of the [<sup>F1</sup>Secretary of State] under this Act—
  - (a) shall be made by statutory instrument; and
  - (b) (subject to [<sup>F2</sup>subsections (2) and (2A)]) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

- (2) Subsection (1)(b) does not apply—
  - <sup>F3</sup>(a) .....
  - <sup>F3</sup>(b) .....
  - <sup>F3</sup>(c) .....
  - (d) to an order under section 79(2).

[<sup>F4</sup>(2A) Subsection (1)(b) does not apply to regulations under section 64A, and no such regulations may be made unless a draft of the statutory instrument containing the regulations has been laid before, and approved by a resolution of, each House of Parliament.]

- (3) Any regulations or order of the [<sup>F5</sup>Secretary of State] under this Act may make—
  - (a) different provision for different cases; and
  - (b) such supplemental, incidental, consequential or transitional provision or savings as the [<sup>F5</sup>Secretary of State] considers appropriate.

- (4) Before making any regulations under section <sup>F6</sup> . . . 64 [<sup>F7</sup>or 64A]<sup>F8</sup> . . . the [<sup>F9</sup>Secretary of State] shall consult such persons or bodies of persons as he considers appropriate [<sup>F10</sup>and, in the case of regulations made by virtue of section 64B or 64C, shall in particular consult the Charity Commission.]

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*Changes to legislation: There are currently no known outstanding effects for the Charities Act 1992, Section 77. (See end of Document for details)*

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### Subordinate Legislation Made

- P1** S. 77(3) power partly exercised (27.11.1994): different dates appointed for specified provisions by S.I. 1994/3023, **art. 2**

### Textual Amendments

- F1** Words in s. 77(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 8(3)(g)** (with art. 12)
- F2** Words in s. 77(1)(b) substituted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), **Sch. 8 para. 93(2)**; S.I. 2007/309, art. 2, Sch.
- F3** S. 77(2)(a)-(c) repealed (1.8.1993) by 1993 c. 10, s. 98(2), **Sch. 7**
- F4** S. 77(2A) inserted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), **Sch. 8 para. 93(3)**; S.I. 2007/309, art. 2, Sch.
- F5** Words in s. 77(3) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 8(3)(g)** (with art. 12)
- F6** In s. 77(4) the figures 20, 22, and 23 repealed (1.8.1993) by 1993 c. 10, s. 98(2), **Sch. 7**
- F7** Words in s. 77(4) inserted (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), **Sch. 8 para. 93(4)(a)**; S.I. 2007/309, art. 2, Sch.
- F8** Words in s. 77(4) repealed (27.2.2007) by [Charities Act 2006 \(c. 50\)](#), s. 79(2), Sch. 8 para. 93(4)(b), **9**; S.I. 2007/309, art. 2, Sch.
- F9** Words in s. 77(4) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 8(3)(g)** (with art. 12)
- F10** Words in s. 77(4) inserted (E.W.) (31.7.2016) by [Charities \(Protection and Social Investment\) Act 2016 \(c. 4\)](#), **ss. 14(5), 17(4)**; S.I. 2016/815, reg. 2(j)

### Commencement Information

- I1** S. 77 wholly in force at 1.9.1992 see s. 79(2) and S.I. 1992/1900, art. 2(1), **Sch. 1**.

**Changes to legislation:**

There are currently no known outstanding effects for the Charities Act 1992, Section 77.