



Charities Act 2006

CHAPTER 50

CHARITIES ACT 2006

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- 1 Meaning of “charity”
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- 3 The “public benefit” test
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- 6 The Charity Commission

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Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

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16 ...

17 ...

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22 ...

Common investment schemes

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Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

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25 ...

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36 ...
37 ...

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38 ...
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Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

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53 Grounds for refusing to issue a certificate
54 Power to call for information and documents
55 Transfer of certificate between trustees of unincorporated charity
56 Withdrawal or variation etc. of certificates
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- 58 Applications for permits to conduct collections in public places
59 Determination of applications and issue of permits
60 Refusal of permits
61 Withdrawal or variation etc. of permits
62 Appeals against decisions of local authority

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

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- 1 The Charity Commission

House of Commons Disqualification Act 1975 (c. 24)

- 2 The Charity Commission

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- 3 The Charity Commission

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

SCHEDULE 2 — Establishment of the Charity Commission: supplementary

1 Establishment of the Charity Commission: supplementary

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2 Establishment of the Charity Commission: supplementary

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First annual report of Commission

4 Establishment of the Charity Commission: supplementary

Resource accounts of Commission

5 Establishment of the Charity Commission: supplementary

SCHEDULE 3 — The Charity Tribunal

1 The Charity Tribunal

House of Commons Disqualification Act 1975 (c. 24)

2 The Charity Tribunal

Northern Ireland Assembly Disqualification Act 1975 (c. 25)

3 The Charity Tribunal

Courts and Legal Services Act 1990 (c. 41)

4 The Charity Tribunal

Tribunals and Inquiries Act 1992 (c. 53)

5 The Charity Tribunal

SCHEDULE 4 — Appeals and applications to Charity Tribunal

...

SCHEDULE 5 — Exempt charities: increased regulation under 1993 Act

...

SCHEDULE 6 — Group accounts

...

SCHEDULE 7 — Charitable incorporated organisations

Part 1 — NEW PART 8A OF AND SCHEDULE 5B TO 1993 ACT

1 After Part 8 of the 1993 Act insert the following...

2 After the Schedule 5A inserted in the 1993 Act by...

Part 2 — OTHER AMENDMENTS OF 1993 ACT

3 The 1993 Act is further amended as follows.

4 In section 45 (annual reports), after subsection (3A) insert—

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

- 5 In section 48 (annual returns), in subsection (1A), at the...
- 6 In section 86 (regulations and orders)— (a) in subsection (2),...
- 7 In section 97 (general interpretation), in subsection (1), at the...

SCHEDULE 8 — Minor and consequential amendments

Literary and Scientific Institutions Act 1854 (c. 112)

1

Places of Worship Registration Act 1855 (c. 81)

2

Bishops Trusts Substitution Act 1858 (c. 71)

- 3 The Bishops Trusts Substitution Act 1858 has effect subject to...
- 4 In section 1 (substitution of one bishop for another as...
- 5 In section 3 (how costs are to be defrayed) for...

Places of Worship Sites Amendment Act 1882 (c. 21)

6

Municipal Corporations Act 1882 (c. 50)

- 7 In section 133(2) of the Municipal Corporations Act 1882 (administration...

Technical and Industrial Institutions Act 1892 (c. 29)

8

Local Government Act 1894 (c. 73)

- 9 (1) In section 75(2) of the Local Government Act 1894...

Commons Act 1899 (c. 30)

- 10 In section 18 of the Commons Act 1899 (power to...

Open Spaces Act 1906 (c. 25)

- 11 The Open Spaces Act 1906 has effect subject to the...
- 12 In section 3(1) (transfer to local authority of spaces held...
- 13 (1) Section 4 (transfer by charity trustees of open space...
- 14 In section 21(1) (application to Ireland)— (a) for “Charity Commissioners”...

Police, Factories, &c. (Miscellaneous Provisions) Act 1916 (c. 31)

- 15 (1) Section 5 of the Police, Factories, &c. (Miscellaneous Provisions)...

National Trust Charity Scheme Confirmation Act 1919 (c. lxxxiv)

- 16 The National Trust Charity Scheme Confirmation Act 1919 has effect...
- 17 In section 1 (confirmation of the scheme) for “Charity Commissioners”...

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

- 18 In paragraph 3 of the scheme set out in the...
Settled Land Act 1925 (c. 18)
- 19 In section 29(3) of the Settled Land Act 1925 (charitable...
Landlord and Tenant Act 1927 (c. 36)
- 20 In Part 2 of the Second Schedule to the Landlord...
Voluntary Hospitals (Paying Patients) Act 1936 (c. 17)
- 21 The Voluntary Hospitals (Paying Patients) Act 1936 has effect subject...
22 In section 1 (definitions), in the definition of “Order”, for...
23 (1) Section 2 (accommodation for and charges to paying patients)...
24 In section 3(1) (provision for patients able to make some,...
25 In section 4 (provisions for protection of existing trusts)—
26 (1) Section 5 (power to make rules) is amended as...
27 In section 6(2) (savings)— (a) for “Charity Commissioners” substitute
“...
Green Belt (London and Home Counties) Act 1938 (c. xciii)
- 28 In section 20 of the Green Belt (London and Home...
...
29 The New Parishes Measure 1943 has effect subject to the...
30
31 In section 31 (charitable trusts)— (a) for “the Board of...
Crown Proceedings Act 1947 (c. 44)
- 32 In section 23(3) of the Crown Proceedings Act 1947 (proceedings...
London County Council (General Powers) Act 1947 (c. xlvi)
- 33 (1) Section 6 of the London County Council (General Powers)...
London County Council (General Powers) Act 1951 (c. xli)
- 34 In section 33(6) of the London County Council (General Powers)...
City of London (Various Powers) Act 1952 (c. vi)
- 35 In section 4(6) of the City of London (Various Powers)...
City of London (Guild Churches) Act 1952 (c. xxxviii)
- 36 In section 35 of the City of London (Guild Churches)...
London County Council (General Powers) Act 1955 (c. xxix)
- 37 (1) Section 34 of the London County Council (General Powers)...
Parochial Church Councils (Powers) Measure 1956 (No. 3)
- 38 In section 6(5) of the Parochial Church Councils (Powers) Measure...

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

Recreational Charities Act 1958 (c. 17)

39

Church Funds Investment Measure 1958 (No. 1)

40 Section 5 of the Church Funds Investment Measure 1958 (jurisdiction...

Incumbents and Churchwardens (Trusts) Measure 1964 (No. 2)

41 The Incumbents and Churchwardens (Trusts) Measure 1964 has effect
subject...

42 In section 2(3) (property to which Measure applies) for “Charity...

43 In section 3(6) (vesting of property in diocesan authority: saving)...

44 In section 5 (provisions as to property vested in the...

45 (1) The Schedule (procedure where diocesan authority is of the...

...

46 In section 4(2) of the Faculty Jurisdiction Measure 1964 (sale...

...

47 In section 7D(4) of the Industrial and Provident Societies Act...

Clergy Pensions (Amendment) Measure 1967 (No. 1)

48 In section 4(5) of the Clergy Pensions (Amendment) Measure 1967...

*Ministry of Housing and Local Government Provisional Order
Confirmation (Greater London Parks and Open Spaces) Act 1967 (c. xxix)*

49 In article 11(3) of the order set out in the...

Redundant Churches and other Religious Buildings Act 1969 (c. 22)

50

51

52

Children and Young Persons Act 1969 (c. 54)

53 In Schedule 3 to the Children and Young Persons Act...

Synodical Government Measure 1969 (No. 2)

54

Local Government Act 1972 (c. 70)

55

Consumer Credit Act 1974 (c. 39)

56 In section 16 of the Consumer Credit Act 1974 (exempt...

Sex Discrimination Act 1975 (c. 65)

57

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

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- 58 The Endowments and Glebe Measure 1976 has effect subject to...
59
60 In section 18(2) (means by which land may become diocesan)...

Interpretation Act 1978 (c. 30)

- 61

Dioceses Measure 1978 (No. 1)

- 62 The Dioceses Measure 1978 has effect subject to the following...
63 In section 5(1) (preparation of draft scheme: meaning of “interested...
64 In section 19(4) (schemes with respect to discharge of functions...

Disused Burial Grounds (Amendment) Act 1981 (c. 18)

- 65

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- 66 In Schedule 4 to the Local Government (Miscellaneous Provisions)
Act...

Administration of Justice Act 1982 (c. 53)

- 67 In section 41(1) of the Administration of Justice Act 1982...

Pastoral Measure 1983 (No. 1)

- 68 The Pastoral Measure 1983 has effect subject to the following...
69
70 In section 63(4) (trusts for the repair etc. of redundant...
71 In section 76(1) (grant of land for new churches etc....
72 In Schedule 3, in paragraph 11(1), (2), (6) and (7),...

Rates Act 1984 (c. 33)

- 73

Companies Act 1985 (c. 6)

- 74 The Companies Act 1985 has effect subject to the following...
75
76 In Schedule 15D (permitted disclosures of information), in paragraph
21,...

Housing Act 1985 (c. 68)

- 77 (1) Section 6A of the Housing Act 1985 (definition of...

Housing Associations Act 1985 (c. 69)

- 78 In section 10(1) of the Housing Associations Act 1985 (dispositions...

Agricultural Holdings Act 1986 (c. 5)

- 79 In section 86(4) of the Agricultural Holdings Act 1986 (power...

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

Coal Industry Act 1987 (c. 3)

80 (1) Section 5 of the Coal Industry Act 1987 (coal...

Reverter of Sites Act 1987 (c. 15)

81 The Reverter of Sites Act 1987 has effect subject to...

82 (1) Section 2 (Charity Commissioners' schemes) is amended as follows....

83 (1) Section 4 (provisions supplemental to sections 2 and 3)...

84 In section 5(3) (orders under section 554 of the Education...

Education Reform Act 1988 (c. 40)

85

Courts and Legal Services Act 1990 (c. 41)

86

London Local Authorities Act 1991 (c. xiii)

87

Further and Higher Education Act 1992 (c. 13)

88

Charities Act 1992 (c. 41)

89 The 1992 Act has effect subject to the following amendments....

90 (1) Section 58 (interpretation of Part 2) is amended as...

91 Omit Part 3 (public charitable collections).

92 In section 76(1) (service of documents) omit paragraph “ (c)...

93 (1) Section 77 (regulations and orders) is amended as follows....

94 In section 79 (short title, commencement and extent) omit—

95 In Schedule 7 (repeals) omit the entry relating to the...

Charities Act 1993 (c. 10)

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Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

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Deregulation and Contracting Out Act 1994 (c. 40)

179 (1) Section 79 of the Deregulation and Contracting Out Act...

Pensions Act 1995 (c. 26)

180

Reserve Forces Act 1996 (c. 14)

181 (1) Schedule 5 to the Reserve Forces Act 1996 (charitable...

Trusts of Land and Appointment of Trustees Act 1996 (c. 47)

182 In section 6(7) of the Trusts of Land and Appointment...

Housing Act 1996 (c. 52)

183 The Housing Act 1996 has effect subject to the following...
184 In section 3(3) (registration as social landlord) for “Charity
Commissioners”...
185 In section 4(6) (removal from the register of social landlords)...
186 In section 6(3) (notice of appeal against decision on removal)...
187 In section 44(3) (consultation on proposals as to ownership and...
188 In section 45(4) (service of copy of agreed proposals) for...
189 In section 46(2) (notice of appointment of manager to implement...
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191
192 (1) Schedule 1 (regulation of registered social landlords) is amended...

School Standards and Framework Act 1998 (c. 31)

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196 In section 34 of the Cathedrals Measure 1999 (charities) for...

Trustee Act 2000 (c. 29)

197 In section 19(4) of the Trustee Act 2000 (guidance concerning...

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

Churchwardens Measure 2001 (No. 1)

198

Licensing Act 2003 (c. 17)

199

Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27)

200 The Companies (Audit, Investigations and Community Enterprise) Act
2004 has...

201 In section 39 (existing companies: charities), in subsections (1) and...

202 In section 40 (existing companies: Scottish charities), in subsections (4)
(b)...

203 In section 54(7) (requirements for becoming a charity or a...

204

Pensions Act 2004 (c. 35)

205

206

207

Constitutional Reform Act 2005 (c. 4)

208

Charities and Trustee Investment (Scotland) Act 2005 (asp 10)

209 The Charities and Trustee Investment (Scotland) Act 2005 has effect...

210 In section 36(1) (powers of OSCR in relation to English...

211 In section 69(2)(d)(i) (persons disqualified from being charity trustees)

—

Equality Act 2006 (c. 3)

212

SCHEDULE 9 — Repeals and revocations

SCHEDULE 10 — Transitional provisions and savings

Section 4: guidance as to operation of public benefit requirement

1

Section 5: recreational charities etc.

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Section 18: cy-près schemes

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Section 19: suspension or removal of trustee etc. from membership of charity

4

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

	<i>Section 20: specific directions for protection of charity</i>
5	.....
	<i>Section 26: offence of obstructing power of entry</i>
6	.....
	<i>Section 28: audit or examination of accounts of charity which is not a company</i>
7	.....
	<i>Section 29: auditor etc. of charity which is not a company to report matters to Commission</i>
8	.....
	<i>Section 32: audit or examination of accounts of charitable companies</i>
9	.....
	<i>Section 33: auditor etc. of charitable company to report matters to Commission</i>
10	.....
	<i>Section 35: waiver of trustee's disqualification</i>
11	.....
	<i>Section 36: remuneration of trustees etc. providing services to charity</i>
12	.....
	<i>Section 38: relief from liability for breach of trust or duty</i>
13	.....
	<i>Section 44: registration of charity mergers</i>
14	.....
	<i>Section 67: statements relating to fund-raising</i>
15	The amendments made by section 67 apply in relation to...
	<i>Section 72: Disclosure of information to and by Northern Ireland regulator</i>
16	In relation to an offence committed in England and Wales...
	<i>Schedule 6: group accounts</i>
17
	<i>Schedule 8: minor and consequential amendments</i>
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Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006. (See end of Document for details)

Schedule 9: savings on repeal of provisions of Charities Act 1960

- 21 (1) This paragraph applies where, immediately before the coming into...
- 22 The repeal by this Act of section 39(2) of the...
- 23 The repeal by this Act of section 48(1) of, and...
- 24
- 25 Despite the repeal by this Act of section 48(4) of...
- 26
- 27 The repeal by this Act of the Charities Act 1960...

Schedule 9: savings on repeal of provisions of Charities Act 1992

- 28 The repeal by this Act of section 49 of, and...

Schedule 9: repeal of certain repeals made by Charities Acts 1960 and 1992

- 29 (1) It is hereby declared that (in accordance with sections...

Changes to legislation:

There are currently no known outstanding effects for the Charities Act 2006.