



Charities Act 2006

2006 CHAPTER 50

PART 3

FUNDING FOR CHARITABLE, BENEVOLENT OR PHILANTHROPIC INSTITUTIONS

CHAPTER 3

FINANCIAL ASSISTANCE

- 70 Power of relevant Minister to give financial assistance to charitable, benevolent or philanthropic institutions**
- (1) A relevant Minister may give financial assistance to any charitable, benevolent or philanthropic institution in respect of any of the institution's activities which directly or indirectly benefit the whole or any part of England (whether or not they also benefit any other area).
 - (2) Financial assistance under subsection (1) may be given in any form and, in particular, may be given by way of—
 - (a) grants,
 - (b) loans,
 - (c) guarantees, or
 - (d) incurring expenditure for the benefit of the person assisted.
 - (3) Financial assistance under subsection (1) may be given on such terms and conditions as the relevant Minister considers appropriate.
 - (4) Those terms and conditions may, in particular, include provision as to—
 - (a) the purposes for which the assistance may be used;
 - (b) circumstances in which the assistance is to be repaid, or otherwise made good, to the relevant Minister, and the manner in which that is to be done;
 - (c) the making of reports to the relevant Minister regarding the uses to which the assistance has been put;

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- (d) the keeping, and making available for inspection, of accounts and other records;
 - (e) the carrying out of examinations by the Comptroller and Auditor General into the economy, efficiency and effectiveness with which the assistance has been used;
 - (f) the giving by the institution of financial assistance in any form to other persons on such terms and conditions as the institution or the relevant Minister considers appropriate.
- (5) A person receiving assistance under this section must comply with the terms and conditions on which it is given, and compliance may be enforced by the relevant Minister.
- (6) A relevant Minister may make arrangements for—
- (a) assistance under subsection (1) to be given, or
 - (b) any other of his functions under this section to be exercised,
- by some other person.
- (7) Arrangements under subsection (6) may make provision for the functions concerned to be so exercised—
- (a) either wholly or to such extent as may be specified in the arrangements, and
 - (b) either generally or in such cases or circumstances as may be so specified,
- but do not prevent the functions concerned from being exercised by a relevant Minister.
- (8) As soon as possible after 31st March in each year, a relevant Minister must make a report on any exercise by him of any powers under this section during the period of 12 months ending on that day.
- (9) The relevant Minister must lay a copy of the report before each House of Parliament.
- (10) In this section “charitable, benevolent or philanthropic institution” means—
- (a) a charity, or
 - (b) an institution (other than a charity) which is established for charitable, benevolent or philanthropic purposes.
- (11) In this section “relevant Minister” means the Secretary of State or the Minister for the Cabinet Office.

71 Power of National Assembly for Wales to give financial assistance to charitable, benevolent or philanthropic institutions

- (1) The National Assembly for Wales may give financial assistance to any charitable, benevolent or philanthropic institution in respect of any of the institution’s activities which directly or indirectly benefit the whole or any part of Wales (whether or not they also benefit any other area).
- (2) Financial assistance under subsection (1) may be given in any form and, in particular, may be given by way of—
- (a) grants,
 - (b) loans,
 - (c) guarantees, or
 - (d) incurring expenditure for the benefit of the person assisted.

Status: This is the original version (as it was originally enacted).

- (3) Financial assistance under subsection (1) may be given on such terms and conditions as the Assembly considers appropriate.
- (4) Those terms and conditions may, in particular, include provision as to—
 - (a) the purposes for which the assistance may be used;
 - (b) circumstances in which the assistance is to be repaid, or otherwise made good, to the Assembly, and the manner in which that is to be done;
 - (c) the making of reports to the Assembly regarding the uses to which the assistance has been put;
 - (d) the keeping, and making available for inspection, of accounts and other records;
 - (e) the carrying out of examinations by the Auditor General for Wales into the economy, efficiency and effectiveness with which the assistance has been used;
 - (f) the giving by the institution of financial assistance in any form to other persons on such terms and conditions as the institution or the Assembly considers appropriate.
- (5) A person receiving assistance under this section must comply with the terms and conditions on which it is given, and compliance may be enforced by the Assembly.
- (6) The Assembly may make arrangements for—
 - (a) assistance under subsection (1) to be given, or
 - (b) any other of its functions under this section to be exercised,by some other person.
- (7) Arrangements under subsection (6) may make provision for the functions concerned to be so exercised—
 - (a) either wholly or to such extent as may be specified in the arrangements, and
 - (b) either generally or in such cases or circumstances as may be so specified,but do not prevent the functions concerned from being exercised by the Assembly.
- (8) After 31st March in each year, the Assembly must publish a report on the exercise of powers under this section during the period of 12 months ending on that day.
- (9) In this section “charitable, benevolent or philanthropic institution” means—
 - (a) a charity, or
 - (b) an institution (other than a charity) which is established for charitable, benevolent or philanthropic purposes.