



Charities Act 2011

CHAPTER 25

CHARITIES ACT 2011

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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Status: This is the original version (as it was originally enacted).

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 - 7 Technical and Industrial Institutions Act 1892 (c. 29)
 - 8 Open Spaces Act 1906 (c. 25)
 - 9 New Parishes Measure 1943 (No. 1)
 - 10 In section 31, for “the Charities Act 1993” substitute “section...
 - 11 London County Council (General Powers) Act 1947 (c. xlvi)
 - 12 London County Council (General Powers) Act 1955 (c. xxix)
 - 13 Incumbents and Churchwardens (Trusts) Measure 1964 (No. 2)
 - 14 Co-operative and Community Benefit Societies and Credit Unions Act 1965 (c. 12)
 - 15 Leasehold Reform Act 1967 (c. 88)
 - 16 Co-operative and Community Benefit Societies and Credit Unions Act 1968 (c. 55)
 - 17 Redundant Churches and other Religious Buildings Act 1969 (c. 22)
 - 18 In section 7, for subsection (2) substitute—
 - 19 Sharing of Church Buildings Act 1969 (c. 38)
 - 20 (1) In section 8(1), for “the Charities Act 1993” substitute...
 - 21 Synodical Government Measure 1969 (No. 2)
 - 22 Local Government Act 1972 (c. 70)
 - 23 In section 27F(6), for “section 79 of the Charities Act...
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 - 26 In section 127(4) for “the Charities Act 1993” substitute “the...
 - 27 In section 131(3)— (a) for “section 36 of the Charities...
 - 28 In Schedule 12A, for paragraphs 8(f) and 19(f) substitute—
 - 29 Consumer Credit Act 1974 (c. 39)
 - 30 Friendly Societies Act 1974 (c. 46)
 - 31 House of Commons Disqualification Act 1975 (c. 24)
 - 32 Northern Ireland Assembly Disqualification Act 1975 (c. 25)
 - 33 Theatres Trust Act 1976 (c. 27)
 - 34 Endowments and Glebe Measure 1976 (No. 4)
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 - 36 Ancient Monuments and Archaeological Areas Act 1979 (c. 46)
 - 37 Disused Burial Grounds (Amendment) Act 1981 (c. 18)
 - 38 Pastoral Measure 1983 (No. 1)
 - 39 In section 63(3), for “the Charities Act 1993” substitute “the...
 - 40 In section 87(1), in the definition of “charity”, for “section...
 - 41 (1) Amend Schedule 3 as follows. (2) In paragraph 11(6)—...

- 42 Greater London Council (General Powers) Act 1984 (c. xxvii)
- 43 Housing Act 1985 (c. 68)
- 44 In section 525, in the definition of “charity trustees”, for...
- 45 Housing Associations Act 1985 (c. 69)
- 46 In section 35(2)(c), for “section 36 of the Charities Act...
- 47 Coal Industry Act 1987 (c. 3)
- 48 Reverter of Sites Act 1987 (c. 15)
- 49 Education Reform Act 1988 (c. 40)
- 50 For section 125A substitute— Charitable status of a higher education...
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- 52 Copyright, Designs and Patents Act 1988 (c. 48)
- 53 Imperial College Act 1988 (c. xxiv)
- 54 (1) In section 17(1), for “section 22 of the Charities...
- 55 Courts and Legal Services Act 1990 (c. 41)
- 56 London Local Authorities Act 1991 (c. xiii)
- 57 Further and Higher Education Act 1992 (c. 13)
- 58 For section 22A substitute— Charitable status of a further education...
- 59 In section 27(5), for ““charitable purposes” has the same meaning...
- 60 In section 33F(6)(d), for “(within the meaning of section 69A...
- 61 In section 33M, for “(and, as a result of its...
- 62 In section 33N(10), for ““charitable purposes” has the same meaning...
- 63 In section 69— (a) in subsection (1A), for “section 13...
- 64 In section 79A— (a) for “section 13 of the Charities...
- 65 Charities Act 1992 (c. 41)
- 66 In section 63(2), for “section 3 of the Charities Act...
- 67 Leasehold Reform, Housing and Urban Development Act 1993 (c. 28)
- 68 Environment Act 1995 (c. 25)
- 69 Reserve Forces Act 1996 (c. 14)
- 70 Trusts of Land and Appointment of Trustees Act 1996 (c. 47)
- 71 Housing Act 1996 (c. 52)
- 72 (1) Amend Schedule 1 as follows. (2) In paragraph 4(2)(d),...
- 73 Housing Grants, Construction and Regeneration Act 1996 (c. 53)
- 74 Education Act 1996 (c. 56)
- 75 School Standards and Framework Act 1998 (c. 31)
- 76 In section 23A(10), in the definitions of “charity trustee” and...
- 77 In section 23B(2), for “section 18 of the Charities Act...
- 78 In Schedule 1, for paragraph 10 substitute— An Education Action
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- 79 In Schedule 22, in paragraph 8A(2)(c), for “removed under subsection...
- 80 National Institutions Measure 1998 (No. 1)
- 81 Finance Act 1999 (c. 16)
- 82 Cathedrals Measure 1999 (No. 1)
- 83 In section 15(1), in paragraph (iii) of the proviso, for...
- 84 In section 27(1), for “section 43 of the Charities Act...
- 85 In section 34, for “same meaning as in the Charities...
- 86 Financial Services and Markets Act 2000 (c. 8)
- 87 In Schedule 11B, in paragraph 12(4)(b), for “or section 24...
- 88 Learning and Skills Act 2000 (c. 21)
- 89 Trustee Act 2000 (c. 29)
- 90 In section 39(1)— (a) in the definition of “charitable purposes”,...
- 91 Criminal Justice and Court Services Act 2000 (c. 43)
- 92 Criminal Justice and Police Act 2001 (c. 16)
- 93 Churchwardens Measure 2001 (No. 1)

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- 94 Land Registration Act 2002 (c. 9)
- 95 Licensing Act 2003 (c. 17)
- 96 In Schedule 2, for paragraph 5(4) substitute—
- 97 Higher Education Act 2004 (c. 8)
- 98 Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27)
- 99 In section 63(1), in the definition of “English charity” for...
- 100 In Schedule 3, for paragraph 4 substitute— The person appointed to chair the Charity Commission may make...
- 101 Pensions Act 2004 (c. 35)
- 102 In Schedule 8, for the entry relating to the Charity...
- 103 Serious Organised Crime and Police Act 2005 (c. 15)
- 104 Education Act 2005 (c. 18)
- 105 Gambling Act 2005 (c. 19)
- 106 Charities and Trustee Investment (Scotland) Act 2005 (asp 10)
- 107 In section 69(2)(d)(i), after “Wales under” insert “section 79(2)(a) of...
- 108 In section 96(3), for “sections 24 and 25 of the...
- 109 Natural Environment and Rural Communities Act 2006 (c. 16)
- 110 Education and Inspections Act 2006 (c. 40)
- 111 National Health Service Act 2006 (c. 41)
- 112 National Health Service (Wales) Act 2006 (c. 42)
- 113 Companies Act 2006 (c. 46)
- 114 In section 31(4)(a), for “section 64 of the Charities Act...
- 115 In— (a) section 1140(2)(c)(ii), and (b) section 1154(1)(b) and (2)(b),...
- 116 In Schedule 1, in paragraph 6(4)(b) for “or section 24...
- 117 Safeguarding Vulnerable Groups Act 2006 (c. 47)
- 118 Charities Act 2006 (c. 50)
- 119 In section 72(3), for “section 10(2) to (4) of the...
- 120 (1) In section 73(5)(b), for “the appointed day (within the...
- 121 (1) In section 74(4), omit— (a) paragraphs (a) and (b),...
- 122 Omit section 76.
- 123 (1) In section 78(2)— (a) omit paragraph (a);
- 124 In section 79(1), omit— (a) paragraph (a), and
- 125 In section 80— (a) omit subsections (3)(a), (b) and (d)...
- 126 Income Tax Act 2007 (c. 3)
- 127 Legal Services Act 2007 (c. 29)
- 128 Dioceses, Pastoral and Mission Measure 2007 (No. 1)
- 129 In Schedule 2, in paragraph 13(2), for “charity trustee within...
- 130 Regulatory Enforcement and Sanctions Act 2008 (c. 13)
- 131 Housing and Regeneration Act 2008 (c. 17)
- 132 In section 136— (a) in subsection (4), for “section 43(1)(a)...
- 133 In section 138(3)(a), for “the Charities Act 1993” substitute “the...
- 134 In section 266(6), for “section 72 of the Charities Act...
- 135 In section 275— (a) in the definition of “non-registrable charity”,...
- 136 Planning Act 2008 (c. 29)
- 137 Charities Act (Northern Ireland) 2008 (c. 12 (N.I.))
- 138 In section 86(1)(e)— (a) in sub-paragraph (i), after “under” insert...
- 139 Apprenticeships, Skills, Children and Learning Act 2009 (c. 22)
- 140 In Schedule 3, in paragraph 19(4)(c), for “(within the meaning...
- 141 In Schedule 4, in paragraph 9(4)(c), for “(within the meaning...
- 142 Corporation Tax Act 2010 (c. 4)
- 143 Finance Act 2010 (c. 13)
- 144 Equality Act 2010 (c. 15)

- 145 Church of England (Miscellaneous Provisions) Measure 2010 (No. 1)
- 146 Mission and Pastoral Measure 2011 (No. 3)
- 147 In section 77(3), for “the Charities Act 1993” substitute “the...
- 148 In section 106(1), in the definition of “charity”, for “section...
- 149 (1) Amend Schedule 3 as follows. (2) In paragraph 9(6)—...

SCHEDULE 8 — Transitionals and savings

Part 1 — GENERAL

- 1 Continuity of the law
- 2 A reference, express or implied, in this Act, another enactment...
- 3 (1) A reference, express or implied, in any enactment, instrument...
- 4 Anything done, or having effect as if done, under (or...
- 5 Paragraphs 1 to 4 have effect in place of section...
- 6 Effect of old transitionals and savings
- 7 (1) The repeal by this Act of an enactment previously...
- 8 Use of existing forms etc.

Part 2 — RECREATIONAL ETC. PURPOSES

- 9 General
- 10 (1) Where section 2 of the 1958 Act applied to...
- 11 The repeal by this Act of subsections (2) and (3)...
- 12 Scotland
- 13 Northern Ireland

Part 3 — MISCELLANEOUS

- 14 Regulations relating to fees
- 15 Exempt charities
- 16 The repeal and re-enactment by this Act of—
- 17 Application cy-près: donors unknown or disclaiming or treated as disclaiming
- 18 Official custodian as successor to official trustee of charity lands and official trustees of charity funds
- 19 Savings for consequential amendments
- 20 Universities of Durham and Newcastle-upon-Tyne Act 1963

SCHEDULE 9 — Transitory modifications

- 1 Commission’s general functions—public charitable collections
- 2 “Exempt charity” and common investment and deposit funds
- 3 “Exempt charity” and church funds
- 4 “Exempt charity” and registered societies etc.
- 5 (1) Sub-paragraph (2) applies if section 2 of the Co-operative...
- 6 Power to amend enactments in connection with changes in exempt charities
- 7 Exempt charities and the principal regulator
- 8 Voluntary registration
- 9 Regulations to secure that any institution ceasing to be an exempt charity on the relevant commencement date is excepted
- 10 Change of name and exempt charities
- 11 Power to institute inquiries and exempt charities
- 12 Maximum term of imprisonment for offence under section 49(8)
- 13 Power to call for documents etc. and exempt charities
- 14 Maximum term of imprisonment for offence under section 57(3)
- 15 Exempt charities and disclosure to and by principal regulator
- 16 Exempt charities and Commission’s concurrent jurisdiction with High Court

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

- 17 Exempt charities and restriction on expenditure on promoting Bills
- 18 Exempt charities and power to act for protection of charities
- 19 Reference to Mission and Pastoral Measure 2011
- 20 Exempt charities and power to give directions about dormant bank accounts
- 21 Exempt charities and Commission's consent to proceedings etc.
- 22 Exempt charities and duty of auditors etc. to report matters to Commission
- 23 Disqualification and references to section 429(2) of Insolvency Act 1986
- 24 Maximum term of imprisonment for offence under section 183(1)
- 25 Exempt charities and power to order disqualified trustee to repay sums
- 26 CIOs
- 27 (1) Sub-paragraph (2) applies if section 2 of the Co-operative...
- 28 References to re-named Acts in Schedule 7
- 29 Meaning of "the relevant commencement date"
- 30 References to Acts

SCHEDULE 10 — Repeals and revocations

SCHEDULE 11 — Index of defined expressions