



Charities Act 2011

2011 CHAPTER 25

PART 4

REGISTRATION AND NAMES OF CHARITIES

Effect of registration and right to inspect register

37 Effect of registration

- (1) An institution is, for all purposes other than rectification of the register, conclusively presumed to be or to have been a charity at any time when it is or was on the register.
- (2) For the purposes of subsection (1) an institution is to be treated as not being on the register during any period when the entry relating to it is in suspense under section 36(4).

38 Right to inspect register

- (1) The register (including the entries cancelled when institutions are removed from the register) must be open to public inspection at all reasonable times.
- (2) If any information contained in the register is not in documentary form, subsection (1) is to be read as requiring the information to be available for public inspection in legible form at all reasonable times.
- (3) If the Commission so determines, subsection (1) does not apply to any particular information contained in the register that is specified in the determination.
- (4) Copies (or particulars) of the trusts of any registered charity as supplied to the Commission under section 35 (duties of trustees in connection with registration) must, so long as the charity remains on the register—
 - (a) be kept by the Commission, and
 - (b) be open to public inspection at all reasonable times.
- (5) If a copy of a document relating to a registered charity—

Changes to legislation: Charities Act 2011, Cross Heading: Effect of registration and right to inspect register is up to date with all changes known to be in force on or before 09 February 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (a) is not required to be supplied to the Commission as the result of section 35(4), but
 - (b) is in the Commission's possession,
- a copy of the document must be open to inspection under subsection (4) as if supplied to the Commission under section 35.

Annotations:

Modifications etc. (not altering text)

- C1** S. 38 modified (2.1.2013) by [The Charitable Incorporated Organisations \(General\) Regulations 2012](#) (S.I. 2012/3012), regs. 1, **6(6)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 178(3)(4) inserted by 2016 c. 4 s. 9(6)
- s. 178A inserted by 2016 c. 4 s. 9(7)
- s. 179(7) added by 2016 c. 4 s. 9(10)
- s. 181(2A) inserted by 2016 c. 4 s. 9(12)
- s. 182(1A) words in s. 182(1) renumbered as s. 182(1A) by 2016 c. 4 s. 11(3)
- s. 182(1A) words inserted by 2016 c. 4 s. 11(4)
- s. 184A inserted by 2016 c. 4 s. 12
- s. 348(4)(za) inserted by 2016 c. 4 s. 9(21)