



Charities Act 2011

2011 CHAPTER 25

PART 9

CHARITY TRUSTEES, TRUSTEES AND AUDITORS ETC.

Disqualification of charity trustees and trustees

183 Criminal consequences of acting while disqualified

- (1) Subject to subsection (2), it is an offence for any person to act as a charity trustee or trustee for a charity [^{F1} or to hold an office or employment] while disqualified from being such a trustee [^{F2} or from holding that office or employment] by virtue of section 178 [^{F3} or an order under section 181A].
- (2) Subsection (1) does not apply if—
 - (a) the charity concerned is a company [^{F4} or a CIO], and
 - (b) the disqualified person is disqualified by virtue only of Case B [^{F5}, F or G][^{F6} in section 178].
- (3) A person guilty of an offence under subsection (1) is liable—
 - (a) on summary conviction, to imprisonment for a term not exceeding [^{F7} the general limit in a magistrates' court] or to a fine not exceeding the statutory maximum, or both;
 - (b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or to a fine, or both.

Textual Amendments

- F1** Words in s. 183(1) inserted (1.2.2018 for specified purposes, 1.8.2018 in so far as not already in force) by Charities (Protection and Social Investment) Act 2016 (c. 4), ss. 9(14)(a), 17(4); S.I. 2018/47, regs. 2, 3(a) (with reg. 4)

Changes to legislation: Charities Act 2011, Section 183 is up to date with all changes known to be in force on or before 08 April 2024. 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) [View outstanding changes](#)

- F2** Words in s. 183(1) inserted (1.2.2018 for specified purposes, 1.8.2018 in so far as not already in force) by Charities (Protection and Social Investment) Act 2016 (c. 4), **ss. 9(14)(b)**, 17(4); S.I. 2018/47, regs. 2, 3(a) (with reg. 4)
- F3** Words in s. 183(1) inserted (1.10.2016) by Charities (Protection and Social Investment) Act 2016 (c. 4), **ss. 10(3)(a)**, 17(4); S.I. 2016/815, reg. 3(a)
- F4** Words in s. 183(2)(a) inserted (2.1.2013) by The Charitable Incorporated Organisations (Consequential Amendments) Order 2012 (S.I. 2012/3014), arts. 1, 7
- F5** Words in s. 183(2)(b) substituted (1.10.2012) by The Tribunals, Courts and Enforcement Act 2007 (Consequential Amendments) Order 2012 (S.I. 2012/2404), art. 1, **Sch. 2 para. 62(5)** (with art. 5)
- F6** Words in s. 183(2)(b) inserted (1.10.2016) by Charities (Protection and Social Investment) Act 2016 (c. 4), **ss. 10(3)(b)**, 17(4); S.I. 2016/815, reg. 3(a)
- F7** Words in s. 183(3)(a) substituted (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(1), **Sch. Pt. 1**

Changes to legislation:

Charities Act 2011, Section 183 is up to date with all changes known to be in force on or before 08 April 2024. 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.

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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. 106(1)-(1B) substituted for s. 106(1) by [2022 c. 6 s. 16\(a\)](#)
- s. 322(2)(ea) inserted by [2022 c. 6 Sch. 2 para. 26](#)
- s. 331A331B and cross-heading inserted by [2022 c. 6 s. 15](#)