



# Charities Act 2011

## 2011 CHAPTER 25

### PART 9

#### CHARITY TRUSTEES, TRUSTEES AND AUDITORS ETC.

##### *Disqualification of charity trustees and trustees*

#### **184 Civil consequences of acting while disqualified**

- (1) Any acts done as charity trustee or trustee for a charity [<sup>F1</sup> or as officer or employee of a charity ] by a person disqualified from being such a trustee [<sup>F2</sup> or from holding that office or employment ] by virtue of section 178 [<sup>F3</sup> or an order under section 181A] are not invalid merely because of that disqualification.
- (2) Subsection (3) applies if the Commission is satisfied that any person—
  - (a) has acted as charity trustee or trustee for a charity [<sup>F4</sup> or as officer or employee of a charity ] while disqualified from being such a trustee [<sup>F5</sup> or from holding that office or employment ] by virtue of section 178 [<sup>F6</sup> or an order under section 181A], and
  - (b) while so acting, has received from the charity any sums by way of remuneration or expenses, or any benefit in kind, in connection with acting as charity trustee or trustee for the charity [<sup>F7</sup> or holding the office or employment ] .
- (3) The Commission may by order direct the person—
  - (a) to repay to the charity the whole or part of any such sums, or
  - (b) (as the case may be) to pay to the charity the whole or part of the monetary value (as determined by the Commission) of any such benefit.
- (4) Subsection (3) does not apply to any sums received by way of remuneration or expenses in respect of any time when the person concerned was not disqualified from being a charity trustee or trustee for the charity.

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**Changes to legislation:** Charities Act 2011, Section 184 is up to date with all changes known to be in force on or before 15 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

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### Textual Amendments

- F1** Words in s. 184(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(16)(a)**, 17(4); S.I. 2018/47, regs. 2, 3(a) (with reg. 4)
- F2** Words in s. 184(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(16)(b)**, 17(4); S.I. 2018/47, regs. 2, 3(a) (with reg. 4)
- F3** Words in s. 184(1) inserted (1.10.2016) by Charities (Protection and Social Investment) Act 2016 (c. 4), **ss. 10(4)(a)**, 17(4); S.I. 2016/815, reg. 3(a)
- F4** Words in s. 184(2)(a) 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(16)(a)**, 17(4); S.I. 2018/47, regs. 2, 3(a) (with reg. 4)
- F5** Words in s. 184(2)(a) 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(16)(b)**, 17(4); S.I. 2018/47, regs. 2, 3(a) (with reg. 4)
- F6** Words in s. 184(2)(a) inserted (1.10.2016) by Charities (Protection and Social Investment) Act 2016 (c. 4), **ss. 10(4)(b)**, 17(4); S.I. 2016/815, reg. 3(a)
- F7** Words in s. 184(2)(b) 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(17)**, 17(4); S.I. 2018/47, regs. 2, 3(a) (with reg. 4)

**Changes to legislation:**

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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](#)