



Charities Act 2011

2011 CHAPTER 25

PART 11

CHARITABLE INCORPORATED ORGANISATIONS (CIOS)

CHAPTER 4

CONVERSION, AMALGAMATION AND TRANSFER

Transfer of CIO's undertaking to another CIO

242 Cases where confirmation of resolution must or may be refused

- (1) The Commission must refuse to confirm the resolution of the transferor CIO if it considers that there is a serious risk that the transferee CIO would be unable properly to pursue the purposes of the transferor CIO.
- (2) The Commission may refuse to confirm the resolution if it is not satisfied that the provision in the constitution of the transferee CIO about the matters mentioned in subsection (3) is—
 - (a) the same, or
 - (b) substantially the same,as the provision about those matters in the constitution of the transferor CIO.
- (3) The matters are—
 - (a) the purposes of the CIO,
 - (b) the application of property of the CIO on its dissolution, and
 - (c) authorisation for any benefit to be obtained by charity trustees or members of the CIO or persons connected with them.
- (4) Sections 248 (meaning of “benefit”) and 249 (meaning of “connected person”) apply for the purposes of this section.

Changes to legislation:

Charities Act 2011, Section 242 is up to date with all changes known to be in force on or before 23 May 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.

[View outstanding changes](#)

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](#)