



Charities Act 2011

2011 CHAPTER 25

PART 13

UNINCORPORATED CHARITIES

Power to transfer all property of unincorporated charity

271 S.268 resolution not to take effect or to take effect at later date

- (1) A resolution does not take effect under section 270 if before the end of—
 - (a) the 60-day period, or
 - (b) that period as modified by subsection (4) or (5),the Commission notifies the charity trustees in writing that it objects to the resolution, either on procedural grounds or on the merits of the proposals contained in the resolution.
- (2) “The 60-day period” means the period of 60 days mentioned in section 270.
- (3) “On procedural grounds” means on the grounds that any obligation imposed on the charity trustees by or under section 268 or 269 has not been complied with in connection with the resolution.
- (4) If under section 269(1) the Commission directs the charity trustees to give public notice of a resolution, the running of the 60-day period is suspended by virtue of this subsection—
 - (a) as from the date on which the direction is given to the charity trustees, and
 - (b) until the end of the period of 42 days beginning with the date on which public notice of the resolution is given by the charity trustees.
- (5) If under section 269(2) the Commission directs the charity trustees to provide any information or explanations, the running of the 60-day period is suspended by virtue of this subsection—
 - (a) as from the date on which the direction is given to the charity trustees, and

Status: This is the original version (as it was originally enacted).

- (b) until the date on which the information or explanations is or are provided to the Commission.
- (6) Subsection (7) applies once the period of time, or the total period of time, during which the 60-day period is suspended by virtue of either or both of subsections (4) and (5) exceeds 120 days.
- (7) At that point the resolution (if not previously objected to by the Commission) is to be treated as if it had never been passed.