



Charities (Protection and Social Investment) Act 2016

2016 CHAPTER 4

6 Power to direct specified action not to be taken

- (1) The Charities Act 2011 is amended as follows.
- (2) After section 84 insert—

“84A Power to direct specified action not to be taken

- (1) This section applies where, at any time after the Commission has instituted an inquiry under section 46 with respect to any charity, the Commission considers that any action, if taken or continued by a person listed in section 84(2), would constitute misconduct or mismanagement in the administration of the charity.
- (2) The Commission may make an order specifying the action and directing the person not to take it or continue it.
- (3) While an order under this section is in force, the Commission must review it at intervals of not more than 6 months.”
- (3) In section 20 (incidental powers), in subsection (3) after “84” insert “, 84A”.
- (4) In section 86(2) (copy of certain orders, and reasons, to be sent to charity) and section 336(2)(a) (enforcement of orders of Commission) insert in the appropriate place—
“section [84A](#) (power to direct specified action not to be taken),”.
- (5) In Schedule 6 (appeals and applications to Tribunal), insert in the appropriate place—

“Order made by the Commission under section 84A(2) which directs a person not to	The persons are any person who is directed by the order not to take the specified action.	Power to quash the order and (if appropriate) remit the matter to the Commission.”
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Status: This is the original version (as it was originally enacted).

take action specified in the
order.