
STATUTORY INSTRUMENTS

1992 No. 2986

CHARITIES

**The Charity Commissioners' Fees
(Copies and Extracts) Regulations 1992**

Made - - - - *29th November 1992*
Laid before Parliament *8th December 1992*
Coming into force - - *1st January 1993*

In exercise of the powers conferred upon me by sections 51(1) and (2) and 77(3) of the Charities Act 1992(1), I hereby make the following Regulations:

1.—(1) These Regulations may be cited as the Charity Commissioners' Fees (Copies and Extracts) Regulations 1992 and shall come into force on 1st January 1993.

(2) In these Regulations “relevant document” means any document(2) which is kept by the Commissioners(3) under the enactments relating to charities and of or from which section 9 of the Charities Act 1960(4) or section 7 of the Charitable Trustees Incorporation Act 1872(5) requires the Commissioners to furnish copies or extracts at the request of any person.

2. Where a photocopier is used in response to a request to furnish a copy of, or extract from, a relevant document, there shall, subject to regulation 6 below, be payable to the Commissioners for such a copy or extract—

- (a) where there are not more than six sheets of photocopied material, a fee of £1.80; and
- (b) where there are more than six sheets of photocopied material, a fee of £1.80 and an additional 30p for each such sheet in excess of the first six.

3.—(1) Where a request is made for a copy of, or extract from, a relevant document and the information contained in that document is recorded otherwise than in legible form, there shall, subject to paragraph (2) and regulation 6 below, be payable to the Commissioners for such a copy or

(1) 1992 c. 41.
(2) By virtue of section 11 of the Interpretation Act 1978 (c. 30) and section 1(2) of the Charities Act 1992, section 46(2) of the Charities Act 1960 (c. 58), as inserted by paragraph 19(b) of Schedule 3 to the Charities Act 1992, applies for the interpretation of the expression “document”.
(3) By virtue of section 11 of the Interpretation Act 1978 and section 1(2) of the Charities Act 1992, this expression has the same meaning as in section 46(1) of the Charities Act 1960.
(4) 1960 c. 58; section 9 was substituted by paragraph 3 of Schedule 3 to the Charities Act 1992.
(5) 1872 c. 24; section 7 was repealed in part by paragraph 7 of Schedule 4 to the Charities Act 1992.

extract (which, by virtue of section 46(2) of the Charities Act 1960⁽⁶⁾, must be furnished in legible form) a fee of 60p for each sheet of paper on which such a copy or extract is printed.

(2) Paragraph (1) above shall not apply for the purposes of the calculation of the fee payable on the furnishing of extracts from a relevant document where—

- (a) the extracts requested are such that the request is capable of being dealt with as a request under regulation 4 below, and
- (b) the fee payable under that regulation for such extracts is lower than the fee which would otherwise be payable under paragraph (1) above.

4.—(1) This regulation applies to a request for an extract (or extracts) from the register of charities (which is a relevant document because section 9 of the Charities Act 1960 applies to it by virtue of the requirement in section 4(7) of that Act that the register be kept open to public inspection) where—

- (a) the information contained in that register is recorded otherwise than in legible form, and
- (b) the request is in respect of any registered charity (or charities) identified by either its name (or their names) or the number under which it is registered (or the numbers under which they are registered).

(2) Subject to regulation 6 below, where a request of the kind described in paragraph (1) above is for a short extract (or extracts) from the register of charities, there shall be payable to the Commissioners in respect of furnishing it (or them) a fee of £2 with an additional 15p for each charity in respect of which a short extract is so furnished.

(3) Subject to regulation 6 below, where a request of the kind described in paragraph (1) above is for a standard extract (or extracts) from the register of charities, there shall be payable to the Commissioners in respect of furnishing it (or them) a fee of £2 with an additional 20p for each charity in respect of which a standard extract is so furnished.

(4) Subject to regulation 6 below, where a request of the kind described in paragraph (1) above is for a detailed extract (or extracts) from the register of charities, there shall be payable to the Commissioners in respect of furnishing it (or them) a fee of £2 with an additional 25p for each charity in respect of which a detailed extract is so furnished or, where it is not possible to furnish such an extract (because the criterion which distinguishes a detailed extract from a standard extract and is referred to in paragraph (5) below is not satisfied) 20p for each charity in respect of which a standard extract is so furnished.

(5) In this regulation and regulation 5 below—

“a short extract” means an extract (not being a standard or detailed extract) which includes the name and registration number of the charity in question;

“a standard extract” means an extract (not being a detailed extract) which, in addition to the information about the charity in question included in a short extract, also includes the purposes of that charity and an address for correspondence with the charity trustees; and

“a detailed extract” means an extract which, in addition to the information about the charity in question included in a standard extract, also includes the names of any other (subsidiary) charity registered in the register of charities under the same number as that charity.

5.—(1) This regulation applies to a request for an extract (or extracts) from the register of charities where—

- (a) the information contained in that register is recorded otherwise than in legible form, and

(6) As to section 46(2), see the second footnote to these Regulations.

- (b) the request is framed by reference to criteria other than the name of any registered charity (or charities) or the number under which it is registered (or the numbers under which they are registered).

(2) Subject to regulation 6 below, there shall be payable to the Commissioners in respect of the furnishing of an extract (or extracts) from the register of charities in response to a request of the kind described in paragraph (1) above a fee of £2 with an additional £40 for each criterion by reference to which the extracts are to be identified, and an additional—

- (a) 15p for each extract which is a short extract;
- (b) 20p for each extract which is a standard extract; or
- (c) 25p for each extract which is a detailed extract.

6. Where it appears to the Commissioners appropriate to do so, they may confer such exemption as they see fit from the liability to pay a fee prescribed by regulations 2 to 5 above.

29th November 1992

Kenneth Clarke
One of Her Majesty's Principal Secretaries of
State Home Office

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which extend to England and Wales only, prescribe the fees which are payable to the Charity Commissioners (“the Commissioners”) where they furnish a copy of, or extract from, documents kept by them in accordance with the duties to do so imposed by section 9 of the Charities Act 1960 (as substituted by Schedule 3 to the Charities Act 1992) and section 7 of the Charitable Trustees Incorporation Act 1872 (see the definition of “relevant document” in regulation 1(2)). The former provision concerns documents in the Commissioners' possession which are open to inspection under the 1960 Act and the latter such documents which are open to inspection under the 1872 Act. Under section 4(7) of the 1960 Act the register of charities and copies or particulars of the trusts of any registered charity (which are required to be supplied to the Commissioners under section 4(5) of that Act) are required to be kept open to public inspection. Section 4(7A) of the 1960 Act (as inserted by section 2(6) of the 1992 Act) makes provision for the circumstances where information on the register is kept other than in documentary form (for example, on a computer). The register is, in fact, currently kept on a computer. Statements of the accounts of charities are also open to inspection.

Regulation 2 prescribes a fee for furnishing photocopies of the whole or part of relevant documents. Regulation 3 prescribes a fee for print-outs of the whole or part of relevant documents which are held on the Commissioners' computer and where a lower fee is not payable under regulation 4 (where the request in question is also capable of falling within that regulation).

Regulation 4 prescribes fees for extracts from the register of charities where the person requesting the extracts identifies the charities in respect of which he wants them either by their names or registered numbers. The fee differs according to whether the extract is a short (regulation 4(2)), standard (regulation 4(3)) or detailed (regulation 4(4)) extract; these terms are defined in regulation 4(5).

Regulation 5 prescribes the fee where the extracts from the register of charities are obtained in response to a specially designed computer programme. The fee chargeable depends upon the number of criteria by reference to which the information is obtained and whether short, standard or detailed extracts from the register are required to be furnished by the specially designed programme.

Under regulation 6 the Commissioners may, if it appears to them appropriate to do so, confer such exemption as they see fit from the liability to pay a fee prescribed by these Regulations.