
STATUTORY INSTRUMENTS

2012 No. 3012

**The Charitable Incorporated
Organisations (General) Regulations 2012**

PART 6

CHARITY TRUSTEES: APPOINTMENT, POWERS AND DUTIES

Eligibility for appointment as charity trustee

31.—(1) Only a person who has attained the age of 16 years is eligible to be appointed as a charity trustee of a CIO.

(2) Paragraph (1) does not affect the validity of an appointment that is not to take effect until the person appointed attains that age.

(3) Where the office of charity trustee of a CIO is held by a corporation sole, or otherwise by virtue of another office, the appointment to that other office of a person (“A”) who has not attained the age of 16 years is not effective also to make A a charity trustee of the CIO until A attains the age of 16 years.

(4) Subject to paragraph (5), in any case where the operation of paragraph (3) means there is not a sufficient number of charity trustees to conduct the business of the relevant CIO in accordance with its constitution, the CIO may appoint such other person as it considers fit to act as charity trustee until A attains the age of 16 years.

(5) A CIO may not appoint any person to act as charity trustee under paragraph (4) if that person is disqualified from being a charity trustee by—

- (a) any provision of these Regulations; or
- (b) section 178 of the 2011 Act.

(6) An appointment of a charity trustee made in contravention of this regulation is void.

(7) Nothing in this regulation affects the liability of a person (“A”) under any provision of these Regulations or the 2011 Act if A purports to act as a charity trustee of a CIO although A could not, by virtue of this regulation, be appointed as such a charity trustee.