



Charities Act 2011

2011 CHAPTER 25

PART 6

CY-PRÈS POWERS AND ASSISTANCE AND SUPERVISION OF CHARITIES BY COURT AND COMMISSION

Establishment of common investment or deposit funds

101 Bodies which may participate in common deposit schemes

- (1) A common deposit scheme—
 - (a) may be made in terms admitting any charity to participate, or
 - (b) may restrict the right to participate in any manner.
- (2) A common deposit scheme may provide for appropriate bodies to be admitted to participate in the scheme (in addition to the participating charities) to such extent as the trustees appointed to manage the fund may determine.
- (3) In this section “appropriate body” means—
 - (a) a Scottish recognised body,^{F1}...
 - (b) a Northern Ireland charity [^{F2}; or
 - (c) any body of persons or trust that—
 - (i) is established in an EEA state other than the United Kingdom, and
 - (ii) is a charity as defined by paragraph 1 of Schedule 6 to the Finance Act 2010.]

and, in the application of the relevant provisions in relation to a scheme which contains provisions authorised by subsection (2), “charity” includes an appropriate body.

- (4) The relevant provisions are—
 - (a) section 100(1) (power to make common deposit schemes),
 - (b) section 102 (provisions which may be included in common deposit schemes),
 - (c) section 103(1) (provisions relating to rights of participating charity etc.), and

Changes to legislation: Charities Act 2011, Section 101 is up to date with all changes known to be in force on or before 06 April 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. (See end of Document for details) View outstanding changes

- (d) (in relation only to a Northern Ireland charity) section 103(2) (power to participate in common deposit schemes).

Textual Amendments

- F1** Word in s. 101(3)(a) omitted (22.7.2013) by virtue of [The Alternative Investment Fund Managers Regulations 2013 \(S.I. 2013/1773\)](#), reg. 1, [Sch. 1 para. 44\(a\)](#)
- F2** S. 101(3)(c) and preceding word inserted (22.7.2013) by [The Alternative Investment Fund Managers Regulations 2013 \(S.I. 2013/1773\)](#), reg. 1, [Sch. 1 para. 44\(b\)](#)

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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](#)