



Charities Act 2011

2011 CHAPTER 25

PART 11

CHARITABLE INCORPORATED ORGANISATIONS (CIOS)

CHAPTER 3

AMENDMENT OF CONSTITUTION

226 Amendment of constitution and Commission's consent

[^{F1}(1) An amendment to a CIO's constitution which would make a regulated alteration—

- (a) requires the prior written consent of the Commission, and
- (b) cannot take effect if such consent has not been obtained.]

(2) The following are regulated alterations—

- (a) any alteration of the CIO's purposes,
- (b) any alteration of any provision of the CIO's constitution directing the application of property of the CIO on its dissolution, and
- (c) any alteration of any provision of the CIO's constitution where the alteration would provide authorisation for any benefit to be obtained by charity trustees or members of the CIO or persons connected with them.

[^{F2}(2A) In considering whether to consent to an alteration falling within subsection (2)(a) the Commission must have regard to—

- (a) the purposes of the CIO when it was established, if and so far as they are reasonably ascertainable,
- (b) the desirability of securing that the purposes of the CIO are, so far as reasonably practicable, similar to the purposes being altered, and
- (c) the need for the CIO to have purposes which are suitable and effective in the light of current social and economic circumstances.]

Changes to legislation: Charities Act 2011, Section 226 is up to date with all changes known to be in force on or before 04 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

- (3) Sections 248 (meaning of “benefit”) and 249 (meaning of “connected person”) apply for the purposes of this section.

Textual Amendments

- F1** S. 226(1) substituted (7.3.2024) by [Charities Act 2022 \(c. 6\)](#), **ss. 2(2)(a)**, 41(4); S.I. 2024/265, [reg. 3](#), [Sch. 1 para. 2](#) (with [reg. 7](#))
- F2** S. 226(2A) inserted (7.3.2024) by [Charities Act 2022 \(c. 6\)](#), **ss. 2(2)(b)**, 41(4); S.I. 2024/265, [reg. 3](#), [Sch. 1 para. 2](#) (with [reg. 7](#))

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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](#)