



# Charities Act 2011

## 2011 CHAPTER 25

### PART 16

#### CHARITY MERGERS

##### *Vesting declarations and effect of merger on certain gifts*

#### **310 Pre-merger vesting declarations**

- (1) Subsection (2) applies to a declaration which—
- (a) is made by deed for the purposes of this section by the charity trustees of the transferor,
  - (b) is made in connection with a relevant charity merger, and
  - (c) is to the effect that (subject to subsections (3) and (4)) all of the transferor's property is to vest in the transferee on such date as is specified in the declaration (“the specified date”).

- (2) The declaration operates on the specified date to vest the legal title to all of the transferor's property in the transferee, without the need for any further document transferring it.

This is subject to subsections (3) and (4).

- (3) Subsection (2) does not apply to—
- <sup>F1</sup>(a) .....
  - <sup>F2</sup>(b) any land held by the transferor under a lease or agreement if, had the transferor assigned its interest in the land on the specified date to the transferee, that assignment would have given rise to—
    - (i) an actionable breach of covenant or condition against alienation, or
    - (ii) a forfeiture,] or
  - (c) any shares, stock, annuity or other property which is only transferable in books kept by a company or other body or in a manner directed by or under any enactment.

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**Changes to legislation:** Charities Act 2011, Section 310 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](#)

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- (4) In its application to registered land within the meaning of the Land Registration Act 2002, subsection (2) is subject to section 27 of that Act (dispositions required to be registered).

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**Textual Amendments**

- F1** S. 310(3)(a) and word omitted (7.3.2024) by virtue of [Charities Act 2022 \(c. 6\)](#), **ss. 34(a)**, 41(4); S.I. 2024/265, [reg. 3](#), [Sch. 1 para. 9](#)
- F2** S. 310(3)(b) substituted (7.3.2024) by [Charities Act 2022 \(c. 6\)](#), **ss. 34(b)**, 41(4); S.I. 2024/265, [reg. 3](#), [Sch. 1 para. 9](#)

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**Modifications etc. (not altering text)**

- C1** S. 310 applied (with modifications) (2.1.2013) by [The Charitable Incorporated Organisations \(General\) Regulations 2012 \(S.I. 2012/3012\)](#), [regs. 1](#), **61**

**Changes to legislation:**

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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](#)