



Charities Act 1992

1992 CHAPTER 41

PART I

CHARITIES

Powers with respect to administration of charities

13 Commissioners' concurrent jurisdiction with High Court for certain purposes

- (1) Section 18 of the 1960 Act (Commissioners' concurrent jurisdiction with High Court for certain purposes) shall be amended as follows.
- (2) At the end of subsection (4) there shall be added “; or
 - (c) in the case of a charity other than an exempt charity, on the application of the Attorney General.”
- (3) For subsection (5) there shall be substituted—
 - “(5) In the case of a charity which is not an exempt charity and whose income from all sources does not in aggregate exceed £500 a year, the Commissioners may exercise their jurisdiction under this section on the application—
 - (a) of any one or more of the charity trustees; or
 - (b) of any person interested in the charity; or
 - (c) of any two or more inhabitants of the area of the charity, if it is a local charity.”
- (4) In subsection (6), for the words from “the Commissioners may” to “(5) above:” there shall be substituted “and the Commissioners have given the charity trustees an opportunity to make representations to them, the Commissioners may proceed as if an application for a scheme had been made by the charity:”.
- (5) After subsection (6) there shall be inserted—
 - “(6A) Where—

Status: This is the original version (as it was originally enacted).

- (a) a charity cannot apply to the Commissioners for a scheme by reason of any vacancy among the charity trustees or the absence or incapacity of any of them, but
- (b) such an application is made by such number of the charity trustees as the Commissioners consider appropriate in the circumstances of the case,

the Commissioners may nevertheless proceed as if the application were an application made by the charity.”

(6) At the end of the section there shall be added—

“(13) If he thinks it expedient to do so—

- (a) in consequence of changes in the value of money, or
- (b) with a view to increasing the number of charities in respect of which the Commissioners may exercise their jurisdiction under this section in accordance with subsection (5) above,

the Secretary of State may by order amend that subsection by substituting a different sum for the sum for the time being specified there.

(14) Any such order shall be made by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.”