_____
Status: Point in time view as at 14/03/2012.
Changes to legislation: Charities Act 2011, Cross Heading: Charities required to be registered is up to date with all
changes known to be in force on or before 01 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)
_____

Charities Act 2011

2011 CHAPTER 25

PART 4

REGISTRATION AND NAMES OF CHARITIES

Charities required to be registered

30   Charities required to be registered: general

(1) Every charity must be registered in the register unless subsection (2) applies to it.

(2) The following are not required to be registered—
    (a)   an exempt charity (see section 22 and Schedule 3),
    (b)   a charity which for the time being—
        (i) is permanently or temporarily excepted by order of the Commission, and
        (ii) complies with any conditions of the exception,
    and whose gross income does not exceed £100,000,
    (c)   a charity which for the time being—
        (i) is, or is of a description, permanently or temporarily excepted by regulations made by the Minister, and
        (ii) complies with any conditions of the exception,
    and whose gross income does not exceed £100,000, and
    (d)   a charity whose gross income does not exceed £5,000.

(3) A charity within—
    (a)   subsection (2)(b) or (c), or
    (b)   subsection (2)(d),
    must, if it so requests, be registered in the register.

(4) In this section any reference to a charity's gross income is to be read, in relation to a particular time—

(a) as a reference to the charity's gross income in its financial year immediately preceding that time, or

(b) if the Commission so determines, as a reference to the amount which the Commission estimates to be the likely amount of the charity's gross income in such financial year of the charity as is specified in the determination.

31 Restrictions on extending the range of excepted charities etc.

(1) No order may be made under section 30(2)(b) so as to except any charity that was not excepted immediately before 31 January 2009.

(2) Subject to subsection (3), no regulations may be made under section 30(2)(c) so as to except any charity or description of charities that was not excepted immediately before 31 January 2009.

(3) Such regulations must be made under section 30(2)(c) as are necessary to secure that any institution ceasing to be an exempt charity by virtue of an order made under section 23 is excepted under section 30(2)(c) (subject to compliance with any conditions of the exception and the financial limit mentioned in section 30(2)(c)).

(4) Subsection (1) does not prevent an order which—
    (a) was in force immediately before 31 January 2009, and
    (b) has effect (by virtue of paragraph 4 of Schedule 8) as if made under section 30(2)(b),
from being varied or revoked.

(5) Subsection (2) does not prevent regulations which—
    (a) were in force immediately before 31 January 2009, and
    (b) have effect (by virtue of paragraph 4 of Schedule 8) as if made under section 30(2)(c),
from being varied or revoked.

Modifications etc. (not altering text)

C1 S. 31(3) applied by 1998 c. 31, s. 23(3) (as substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 75(2)** (with s. 20(2), Sch. 8))

C2 S. 31(3) applied by 1855 c. 81, s. 9(1) (as substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 5(1)(a)** (with s. 20(2), Sch. 8))

C3 S. 31(3) applied by 1998 c. 31, Sch. 1 para. 10 (as substituted (14.3.2012) by Charities Act 2011 (c. 25), s. 355, **Sch. 7 para. 78** (with s. 20(2), Sch. 8))

32 Power to alter sums specified in s.30(2)

(1) The Minister may by order amend—
    (a) section 30(2)(b) and (c), or
    (b) section 30(2)(d),
by substituting a different sum for the sum for the time being specified there.

(2) The Minister may only make an order under subsection (1)—

    (a)   so far as it amends section 30(2)(b) and (c), if the Minister considers it expedient to do so with a view to reducing the scope of the exceptions provided by section 30(2)(b) and (c);

    (b)   so far as it amends section 30(2)(d), if the Minister considers it expedient to do so—

        (i) in consequence of changes in the value of money, or

       (ii) with a view to extending the scope of the exception provided by section 30(2)(d).

(3) No order may be made by the Minister under subsection (1)(a) unless a copy of a report under section 73 of the Charities Act 2006 has been laid before Parliament in accordance with that section.

33 Power to repeal provisions relating to excepted charities

The following provisions—
    (a)   section 30(2)(b) and (c) and (3)(a),
    (b)   section 31,
    (c)   section 32(1)(a), (2)(a) and (3), and
    (d)   this section,

cease to have effect on such day as the Minister may by order appoint for the purposes of this section.

Status:
Point in time view as at 14/03/2012.

Changes to legislation:
Charities Act 2011, Cross Heading: Charities required to be registered is up to date with all changes known to be in force on or before 01 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.