



Charities Act 2011

2011 CHAPTER 25

PART 7

CHARITY LAND

Restrictions on dispositions of land in England and Wales

117 Restrictions on dispositions of land: general

(1) No land held by or in trust for a charity is to be conveyed, transferred, leased or otherwise disposed of without an order of—

- (a) the court, or
- (b) the Commission.

But this is subject to the following provisions of this section, sections 119 to 121 (further provisions about restrictions on dispositions) and section 127 (release of charity rentcharges).

(2) Subsection (1) does not apply to a disposition of such land if—

- (a) the disposition is made to a person who is not—
 - (i) a connected person (as defined in section 118), or
 - (ii) a trustee for, or nominee of, a connected person, and
- (b) the requirements of—
 - (i) section 119(1) (dispositions other than certain leases), or
 - (ii) section 120(2) (leases which are for 7 years or less etc.),have been complied with in relation to it.

(3) The restrictions on disposition imposed by this section and sections 119 to 121 apply regardless of anything in the trusts of a charity; but nothing in this section or sections 119 to 121 applies to—

- (a) any disposition for which general or special authority is expressly given (without the authority being made subject to the sanction of an order of the court) by—

Status: Point in time view as at 28/04/2022. This version of this provision has been superseded.

Changes to legislation: Charities Act 2011, Section 117 is up to date with all changes known to be in force on or before 20 May 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)

- (i) any statutory provision contained in or having effect under an Act, or
- (ii) any scheme legally established,
- (b) any disposition for which the authorisation or consent of the Secretary of State is required under the Universities and College Estates Act 1925,
- (c) any disposition of land held by or in trust for a charity which—
 - (i) is made to another charity otherwise than for the best price that can reasonably be obtained, and
 - (ii) is authorised to be so made by the trusts of the first-mentioned charity, or
- (d) the granting, by or on behalf of a charity and in accordance with its trusts, of a lease to any beneficiary under those trusts where the lease—
 - (i) is granted otherwise than for the best rent that can reasonably be obtained, and
 - (ii) is intended to enable the demised premises to be occupied for the purposes, or any particular purposes, of the charity.
- (4) Nothing in this section or sections 119 to 121 applies to—
 - (a) any disposition of land held by or in trust for an exempt charity,
 - (b) any disposition of land by way of mortgage or other security, or
 - (c) any disposition of an advowson.

Modifications etc. (not altering text)

- C1** S. 117(3)(a) excluded (coming into force in accordance with s. 13 of the amending Act) by [Monken Hadley Common Act 2022 \(c. ii\)](#), [ss. 9\(6\), 12\(4\)](#) (with s. 8(3))

Status:

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