



Charities Act 2011

2011 CHAPTER 25

PART 11

CHARITABLE INCORPORATED ORGANISATIONS (CIOS)

CHAPTER 1

GENERAL

Formation and registration of CIO

208 Cases where application must or may be refused

- (1) The Commission must refuse an application under section 207 if—
 - (a) it is not satisfied that the CIO would be a charity at the time it would be registered, or
 - (b) the CIO's proposed constitution does not comply with one or more of the requirements of section 206 (constitution of CIOs) and any regulations made under that section.

- (2) The Commission may refuse such an application if—
 - (a) the proposed name of the CIO—
 - (i) is the same as, or
 - (ii) is in the opinion of the Commission too like,
the name [^{F1}or a working name] of any other charity (whether registered or not), or
 - (b) the Commission is of the opinion referred to in any of paragraphs (b) to (e) of section 42(2) (power to require charity's name [^{F2}or working name] to be changed) in relation to the proposed name of the CIO (reading paragraph (b) as referring to the proposed purposes of the CIO and to the activities which it is proposed it should carry on).

Changes to legislation: Charities Act 2011, Section 208 is up to date with all changes known to be in force on or before 12 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](#)

Textual Amendments

- F1** Words in s. 208(2) inserted (14.6.2023) by Charities Act 2022 (c. 6), s. 41(4), **Sch. 2 para. 33(a)**; S.I. 2023/643, Sch. para. 20(p)
- F2** Words in s. 208(2)(b) inserted (14.6.2023) by Charities Act 2022 (c. 6), s. 41(4), **Sch. 2 para. 33(b)**; S.I. 2023/643, Sch. para. 20(p)

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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](#)