



Charities Act 2011

2011 CHAPTER 25

PART 3

EXEMPT CHARITIES AND THE PRINCIPAL REGULATOR

Exempt charities

23 Power to amend Sch.3 so as to add or remove exempt charities

- (1) The [^{F1}Secretary of State] may by order make such amendments of Schedule 3 as the [^{F1}Secretary of State] considers appropriate for securing—
 - (a) that (so far as they are charities) institutions of a particular description become or (as the case may be) cease to be exempt charities, or
 - (b) that (so far as it is a charity) a particular institution becomes or (as the case may be) ceases to be an exempt charity.
- (2) An order under subsection (1) may be made only if the [^{F2}Secretary of State] is satisfied that the order is desirable in the interests of ensuring appropriate or effective regulation of the charities or charity concerned in connection with compliance by the charity trustees of the charities or charity with their legal obligations in exercising control and management of the administration of the charities or charity.
- (3) The [^{F3}Secretary of State] may by order make such amendments or other modifications of any enactment as the [^{F3}Secretary of State] considers appropriate in connection with—
 - (a) charities of a particular description becoming, or ceasing to be, exempt charities, or
 - (b) a particular charity becoming, or ceasing to be, an exempt charity, as a result of provision made under subsection (1).
- (4) In subsection (3), “enactment” includes—
 - (a) any provision of subordinate legislation (within the meaning of the Interpretation Act 1978), and

Status: Point in time view as at 09/11/2016.

Changes to legislation: Charities Act 2011, Section 23 is up to date with all changes known to be in force on or before 14 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)

- (b) a provision of a Measure of the Church Assembly or of the General Synod of the Church of England,
and references to enactments include enactments whenever passed or made.

Textual Amendments

- F1** Words in s. 23(1) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 25(2)(b)** (with art. 12)
- F2** Words in s. 23(2) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 25(2)(b)** (with art. 12)
- F3** Words in s. 23(3) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 25(2)(b)** (with art. 12)

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