



# Charities Act 2011

## 2011 CHAPTER 25

### PART 13

#### UNINCORPORATED CHARITIES

##### *Power to transfer all property of unincorporated charity*

#### **272 Transfer of property in accordance with s.268 resolution**

- (1) Subsection (2) applies where a resolution under section 268(1) has taken effect.
- (2) The charity trustees must arrange for all the property of the transferor charity to be transferred in accordance with the resolution, and on terms that any property so transferred—
  - (a) is to be held by the charity to which it is transferred (“the transferee charity”) in accordance with subsection (3), but
  - (b) when so held is nevertheless to be subject to any restrictions on expenditure to which it was subject as property of the transferor charity;and the charity trustees must arrange for the property to be so transferred by such date after the resolution takes effect as they agree with the charity trustees of the transferee charity or charities concerned.
- (3) The charity trustees of any charity to which property is transferred under this section must secure, so far as is reasonably practicable, that the property is applied for such of its purposes as are substantially similar to those of the transferor charity.

But this requirement does not apply if those charity trustees consider that complying with it would not result in a suitable and effective method of applying the property.

- (4) For the purpose of enabling any property to be transferred to a charity under this section, the Commission may, at the request of the charity trustees of that charity, make orders vesting any property of the transferor charity—
  - (a) in the transferee charity, in its charity trustees or in any trustee for that charity, or

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***Status:** This is the original version (as it was originally enacted).*

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- (b) in any other person nominated by those charity trustees to hold property in trust for that charity.