



# Charities Act 2011

## 2011 CHAPTER 25

### PART 13

#### [<sup>F1</sup>POWERS TO AMEND TRUSTS AND USE CAPITAL]

*[<sup>F1</sup>Charity established etc by Royal charter: general power to amend*

#### [<sup>F1</sup>280C Power to amend Royal charter

- (1) This section applies to any charity which is established or regulated by Royal charter.
- (2) The charity trustees of such a charity may resolve that the Royal charter should be amended in such manner as is specified in the resolution if—
  - (a) they are satisfied that it is expedient in the interests of the charity to do so, and
  - (b) there is no power under the Royal charter to make the proposed amendment.
- (3) Subsection (4) applies in the case of a charity which has a body of members distinct from the charity trustees, any of whom are entitled under the Royal charter to attend and vote at a general meeting of the body.
- (4) In the case of a charity to which this subsection applies, a resolution under subsection (2) may not be approved under subsection (6) unless—
  - (a) it is passed by a majority of the charity trustees of the charity, and
  - (b) it is approved by a further resolution which is passed—
    - (i) at a general meeting, by not less than 75% of the members entitled to attend and vote at the meeting who vote on the resolution,
    - (ii) at a general meeting, by a decision taken without a vote and without any expression of dissent in response to the question put to the meeting, or
    - (iii) otherwise than at a general meeting, by the agreement of all the members entitled to attend and vote at a general meeting.

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**Changes to legislation:** Charities Act 2011, Section 280C is up to date with all changes known to be in force on or before 08 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](#)

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- (5) In the case of any other charity to which this section applies, a resolution under subsection (2) may not be approved under subsection (6) unless it is passed by not less than 75% of the charity trustees of the charity.
- (6) A resolution under this section takes effect when it is approved by Her Majesty by Order in Council.]

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**Textual Amendments**

- F1** S. 280C and cross-heading inserted (31.10.2022) by [Charities Act 2022 \(c. 6\), ss. 4, 41\(4\)](#); S.I. [2022/1109](#), Sch. para. 1

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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](#)