



# Charities Act 2011

## 2011 CHAPTER 25

### PART 4

#### REGISTRATION AND NAMES OF CHARITIES

##### *Registration: duties of trustees and claims and objections*

#### **35 Duties of trustees in connection with registration**

- (1) If a charity required to be registered by virtue of section 30(1) is not registered, the charity trustees must—
  - (a) apply to the Commission for the charity to be registered, and
  - (b) supply the Commission with the required documents and information.
- (2) The required documents and information are—
  - (a) copies of the charity's trusts or (if they are not set out in any extant document) particulars of them,
  - (b) such other documents or information as may be prescribed by regulations made by the [<sup>F1</sup>Secretary of State], and
  - (c) such other documents or information as the Commission may require for the purposes of the application.
- (3) If an institution is for the time being registered, the charity trustees (or the last charity trustees) must—
  - (a) notify the Commission if the institution ceases to exist, or if there is any change in its trusts or in the particulars of it entered in the register, and
  - (b) so far as appropriate, supply the Commission with particulars of any such change and copies of any new trusts or alterations of the trusts.
- (4) Nothing in subsection (3) requires a person—
  - (a) to supply the Commission with copies of schemes for the administration of a charity made otherwise than by the court,

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- (b) to notify the Commission of any change made with respect to a registered charity by such a scheme, or
- (c) if the person refers the Commission to a document or copy already in the Commission's possession, to supply a further copy of the document.

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**Textual Amendments**

- F1** Words in s. 35(2)(b) 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)(h)** (with art. 12)

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**Modifications etc. (not altering text)**

- C1** S. 35 modified (2.1.2013) by [The Charitable Incorporated Organisations \(General\) Regulations 2012 \(S.I. 2012/3012\)](#), regs. 1, **6(4)**

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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. 117(3)(aa) inserted by [2022 c. 6 s. 18\(2\)\(a\)](#)
- s. 122(2)(2A) substituted for s. 122(2) by [2022 c. 6 s. 23\(2\)\(a\)](#)
- s. 122(4)(4A) substituted for s. 122(4) by [2022 c. 6 s. 23\(2\)\(c\)](#)
- s. 122(5)(5A) substituted for s. 122(5)(6) by [2022 c. 6 s. 23\(2\)\(d\)](#)
- s. 124(9)(aa) inserted by [2022 c. 6 s. 18\(3\)\(a\)](#)
- s. 125(1)(1A) substituted for s. 125(1) by [2022 c. 6 s. 23\(3\)\(a\)](#)
- s. 184B and cross-heading inserted by [2022 c. 6 s. 29](#)
- s. 186A inserted by [2022 c. 6 s. 31](#)
- s. 198(2A) inserted by [2022 c. 6 s. 1\(3\)](#)
- s. 226(2A) inserted by [2022 c. 6 s. 2\(2\)\(b\)](#)
- s. 227(1A)–(1C) inserted by [2022 c. 6 s. 2\(3\)\(a\)](#)
- s. 239(3)(4) substituted for s. 239(3) by [2022 c. 6 s. 33\(2\)](#)
- s. 244(2)(3) substituted for s. 244(2) by [2022 c. 6 s. 33\(3\)](#)
- s. 280A280B and cross-heading inserted by [2022 c. 6 s. 3\(2\)](#)
- s. 311(2)(2A) substituted for s. 311(2) by [2022 c. 6 s. 33\(4\)](#)
- 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](#)