



Charities Act 2011

2011 CHAPTER 25

PART 4

REGISTRATION AND NAMES OF CHARITIES

[^{F1}Names and working names]

[^{F1}45B Power to delay entry of name in register following a s. 42 direction

- (1) If the charity trustees of a charity notify the Commission under section 35(3) of a change of name of the charity, the Commission may delay changing the charity's name in the register if the Commission has given a direction under section 42 ("the section 42 direction") requiring the new name to be changed.
- (2) A delay under subsection (1) may last until the first to occur of—
 - (a) the charity trustees notifying the Commission of the charity's further new name and the date of the further name change, or
 - (b) the expiry of the maximum postponement period.
- (3) The "maximum postponement period" is the period of 60 days beginning at the end of the period specified in the section 42 direction for giving effect to the direction.
- (4) If any relevant proceedings are commenced, any day on which the relevant proceedings are ongoing is to be disregarded for the purposes of determining whether the period of 60 days mentioned in subsection (3) has elapsed.
- (5) Each of the following are "relevant proceedings"—
 - (a) proceedings on an appeal brought to the Tribunal under section 319 against the section 42 direction or against any steps taken by the Commission with a view to securing compliance with the section 42 direction;
 - (b) proceedings on an application made to the Tribunal under section 321 for the review of the Commission's decision to institute an inquiry under section 46 in respect of matters connected with the section 42 direction;

Changes to legislation: Charities Act 2011, Section 45B is up to date with all changes known to be in force on or before 23 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

- (c) proceedings on an application for judicial review of the Commission’s decision to give the section 42 direction or to take any steps with a view to securing compliance with the section 42 direction;
 - (d) proceedings on an application under section 336 in respect of disobedience to the section 42 direction.
- (6) Relevant proceedings are commenced when a notice, claim form or other document is sent or delivered to, or filed with, the Tribunal or court for the purpose of commencing the proceedings.
- (7) Relevant proceedings are ongoing until—
- (a) the proceedings (including any proceedings on appeal or further appeal) have been concluded, and
 - (b) any period during which an appeal (or further appeal) may ordinarily be made has passed.]

Textual Amendments

F1 S. 45B inserted (14.6.2023) by Charities Act 2022 (c. 6), ss. 27, 41(4); S.I. 2023/643, Sch. para. 14

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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](#)