

## SCHEDULES

### SCHEDULE 4

#### AMENDMENTS OF CHARITABLE TRUSTEES INCORPORATION ACT 1872

6 After section 6 of the 1872 Act insert—

**“6A Power of Commissioners to amend certificate of incorporation**

- (1) The Commissioners may amend a certificate of incorporation either on the application of the incorporated body to which it relates or of their own motion.
- (2) Before making any such amendment of their own motion, the Commissioners shall by notice in writing—
  - (a) inform the trustees of the relevant charity of their proposals, and
  - (b) invite those trustees to make representations to them within a time specified in the notice, being not less than one month from the date of the notice.
- (3) The Commissioners shall take into consideration any representations made by those trustees within the time so specified, and may then (without further notice) proceed with their proposals either without modification or with such modifications as appear to them to be desirable.
- (4) The Commissioners may amend a certificate of incorporation either—
  - (a) by making an order specifying the amendment; or
  - (b) by issuing a new certificate of incorporation taking account of the amendment.”