



Charities Act 1992

1992 CHAPTER 41

PART I

CHARITIES

Supervision and control by Commissioners

10 Additional powers exercisable by Commissioners in relation to charitable companies

- (1) At the end of section 30 of the 1960 Act (charitable companies: winding up) there shall be added—
 - “(2) Where a charity may be so wound up by the High Court, such a petition may also be presented by the Commissioners if, at any time after they have instituted an inquiry under section 6 of this Act with respect to the charity, they are satisfied as mentioned in section 20(1)(a) or (b) of this Act.
 - (3) Where a charitable company is dissolved, the Commissioners may make an application under section 651 of the Companies Act 1985 (power of court to declare dissolution of company void) for an order to be made under that section with respect to the company; and for this purpose subsection (1) of that section shall have effect in relation to a charitable company as if the reference to the liquidator of the company included a reference to the Commissioners.
 - (4) Where a charitable company’s name has been struck off the register of companies under section 652 of the Companies Act 1985 (power of registrar to strike defunct company off register), the Commissioners may make an application under section 653(2) of that Act (objection to striking off by person aggrieved) for an order restoring the company’s name to that register; and for this purpose section 653(2) shall have effect in relation to a charitable company as if the reference to any such person aggrieved as is there mentioned included a reference to the Commissioners.

Status: This is the original version (as it was originally enacted).

- (5) The powers exercisable by the Commissioners by virtue of this section shall be exercisable by them of their own motion, but shall be exercisable only with the agreement of the Attorney General on each occasion.
- (6) In this section “charitable company” means a company which is a charity.”
- (2) The existing provisions of section 30 of the 1960 Act (as amended by the Companies Act 1989) shall accordingly constitute subsection (1) of that section.