



Charities Act 1993

CHAPTER 10

CHARITIES ACT 1993

PART I

THE CHARITY COMMISSIONERS AND THE OFFICIAL CUSTODIAN FOR CHARITIES

- 1 The Charity Commissioners.
- 2 The official custodian for charities.

PART II

REGISTRATION AND NAMES OF CHARITIES

Registration of charities

- 3 The register of charities.
- 4 Effect of, and claims and objections to, registration.
- 5 Status of registered charity (other than small charity) to appear on official publications etc.

Charity names

- 6 Power of Commissioners to require charity's name to be changed.
- 7 Effect of direction under s. 6 where charity is a company.

PART III

COMMISSIONERS' INFORMATION POWERS

- 8 General power to institute inquiries.
- 9 Power to call for documents and search records.
- 10 Disclosure of information to and by Commissioners.
- 11 Supply of false or misleading information to Commissioners, etc.

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1993 (repealed). (See end of Document for details)

- 12 Data protection.

PART IV

APPLICATION OF PROPERTY CY-PRÈS AND ASSISTANCE AND SUPERVISION OF CHARITIES BY COURT AND COMMISSIONERS

Extended powers of court and variation of charters

- 13 Occasions for applying property cy-près.
14 Application cy-près of gifts of donors unknown or disclaiming.
15 Charities governed by charter, or by or under statute.

Powers of Commissioners to make schemes and act for protection of charities etc.

- 16 Concurrent jurisdiction with High Court for certain purposes.
17 Further powers to make schemes or alter application of charitable property.
18 Power to act for protection of charities.
19 Supplementary provisions relating to receiver and manager appointed for a charity.
20 Publicity for proceedings under ss. 16 to 18.

Property vested in official custodian

- 21 Entrusting charity property to official custodian, and termination of trust.
22 Supplementary provisions as to property vested in official custodian.
23 Divestment in the case of land subject to Reverter of Sites Act 1987.

Establishment of common investment or deposit funds

- 24 Schemes to establish common investment funds.
25 Schemes to establish common deposit funds.

Additional powers of Commissioners

- 26 Power to authorise dealings with charity property etc.
27 Power to authorise ex gratia payments etc.
28 Power to give directions about dormant bank accounts of charities.
29 Power to advise charity trustees.
30 Powers for preservation of charity documents.
31 Power to order taxation of solicitor's bill.

Legal proceedings relating to charities

- 32 Proceedings by Commissioners.
33 Proceedings by other persons.
34 Report of s. 8 inquiry to be evidence in certain proceedings.

Meaning of "trust corporation"

- 35 Application of provisions to trust corporations appointed under s. 16 or 18.

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1993 (repealed). (See end of Document for details)

PART V

CHARITY LAND

- 36 Restrictions on dispositions.
- 37 Supplementary provisions relating to dispositions.
- 38 Restrictions on mortgaging.
- 39 Supplementary provisions relating to mortgaging.
- 40 Release of charity rentcharges.

PART VI

CHARITY ACCOUNTS, REPORTS AND RETURNS

- 41 Duty to keep accounting records.
- 42 Annual statements of accounts.
- 43 Annual audit or examination of charity accounts.
- 44 Supplementary provisions relating to audits etc.
- 45 Annual reports.
- 46 Special provision as respects accounts and annual reports of exempt and other excepted charities.
- 47 Public inspection of annual reports etc.
- 48 Annual returns by registered charities.
- 49 Offences.

PART VII

INCORPORATION OF CHARITY TRUSTEES

- 50 Incorporation of trustees of a charity.
- 51 Estate to vest in body corporate.
- 52 Applications for incorporation.
- 53 Nomination of trustees, and filling up vacancies.
- 54 Liability of trustees and others, notwithstanding incorporation.
- 55 Certificate to be evidence of compliance with requirements for incorporation.
- 56 Power of Commissioners to amend certificate of incorporation.
- 57 Records of applications and certificates.
- 58 Enforcement of orders and directions.
- 59 Gifts to charity before incorporation to have same effect afterwards.
- 60 Execution of documents by incorporated body.
- 61 Power of Commissioners to dissolve incorporated body.
- 62 Interpretation of Part VII.

PART VIII

CHARITABLE COMPANIES

- 63 Winding up.
- 64 Alteration of objects clause.
- 65 Invalidity of certain transactions.
- 66 Requirement of consent of Commissioners to certain acts.
- 67 Name to appear on correspondence etc.
- 68 Status to appear on correspondence etc.
- 69 Investigation of accounts.

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1993 (repealed). (See end of Document for details)

PART IX

MISCELLANEOUS

Powers of investment

- 70 Relaxation of restrictions on wider-range investments.
- 71 Extension of powers of investment.

Disqualification for acting as charity trustee

- 72 Persons disqualified for being trustees of a charity.
- 73 Person acting as charity trustee while disqualified.

Small charities

- 74 Power to transfer all property, modify objects etc.
- 75 Power to spend capital.

Local charities

- 76 Local authority's index of local charities.
- 77 Reviews of local charities by local authority.
- 78 Co-operation between charities, and between charities and local authorities.
- 79 Parochial charities.

Scottish charities

- 80 Supervision by Commissioners of certain Scottish charities.

Administrative provisions about charities

- 81 Manner of giving notice of charity meetings, etc.
- 82 Manner of executing instruments.
- 83 Transfer and evidence of title to property vested in trustees.

PART X

SUPPLEMENTARY

- 84 Supply by Commissioners of copies of documents open to public inspection.
- 85 Fees and other amounts payable to Commissioners.
- 86 Regulations and orders.
- 87 Enforcement of requirements by order of Commissioners.
- 88 Enforcement of orders of Commissioners.
- 89 Other provisions as to orders of Commissioners.
- 90 Directions of the Commissioners.
- 91 Service of orders and directions.
- 92 Appeals from Commissioners.
- 93 Miscellaneous provisions as to evidence.
- 94 Restriction on institution of proceedings for certain offences.
- 95 Offences by bodies corporate.
- 96 Construction of references to a "charity" or to particular classes of charity.
- 97 General interpretation.

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1993 (repealed). (See end of Document for details)

- 98 Consequential amendments and repeals.
- 99 Commencement and transitional provisions.
- 100 Short title and extent.

SCHEDULES

SCHEDULE 1 — Constitution etc. of Charity Commissioners

- 1 (1) There shall be a Chief Charity Commissioner and two...
- 2 (1) The chief commissioner may, with the approval of the...
- 3 (1) The Commissioners may use an official seal for the...
- 4 Legal proceedings may be instituted by or against the Commissioners...

SCHEDULE 2 — Exempt Charities

The following institutions, so far as they are charities, are...

SCHEDULE 3 — Enlargement of Areas of Local Charities

SCHEDULE 4 — Court's Jurisdiction over Certain Charities Governed by or under Statute

- 1 The court may by virtue of section 15(3) of this...
- 2 Notwithstanding anything in section 19 of the Commons Act 1876...

SCHEDULE 5 — Meaning of “connected person” for purposes of section 36(2)

- 1 In section 36(2) of this Act “connected person”, in relation...
- 2 (1) In paragraph 1(c) above “child” includes a stepchild and...
- 3 For the purposes of paragraph 1(f) above a person controls...
- 4 (1) For the purposes of paragraph 1(g) above any such...

SCHEDULE 6 — Consequential Amendments

The Places of Worship Registration Act 1855 (c.81)

- 1 (1) Section 9 of the Places of Worship Registration Act...

The Open Spaces Act 1906 (c.25)

- 2 At the end of section 4 of the Open Spaces...

The New Parishes Measure 1943 (No. 1)

- 3 (1) The New Parishes Measure 1943 shall be amended as...

The Clergy Pensions Measure 1961 (No. 3)

- 4 In section 33 of the Clergy Pensions Measure 1961 for...

The Finance Act 1963 (c.25)

- 5 In section 65(2) of the Finance Act 1963 at the...

The Cathedrals Measure 1963 (No. 2)

- 6 (1) The Cathedrals Measure 1963 shall be amended as follows....

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1993 (repealed). (See end of Document for details)

The Incumbents and Churchwardens (Trusts) Measure 1964 (No.2)

7 In section 1 of the Incumbents and Churchwardens (Trusts) Measure...

The Leasehold Reform Act 1967 (c.88)

8 In section 23(4) of the Leasehold Reform Act 1967 for...

The Greater London Council (General Powers) Act 1968 (c.xxxix)

9 In section 43 of the Greater London Council (General Powers) Act...

The Redundant Churches and other Religious Buildings Act 1969 (c.22)

10 (1) The Redundant Churches and other Religious Buildings Act 1969...

The Sharing of Church Buildings Act 1969 (c.38)

11 (1) The Sharing of Church Buildings Act 1969 shall be...

The Local Government Act 1972 (c.70)

12 (1) The Local Government Act 1972 shall be amended as...

The Fire Precautions (Loans) Act 1973 (c.11)

13 In section 1(7) of the Fire Precautions (Loans) Act 1973...

The Theatres Trust Act 1976 (c.27)

14 In section 2(2)(d) of the Theatres Trust Act 1976 for...

The Interpretation Act 1978 (c.30)

15 In Schedule 1 to the Interpretation Act 1978, in the...

The Reserve Forces Act 1980 (c.9)

16 (1) Section 147 of the Reserve Forces Act 1980 shall...

The Disused Burial Grounds (Amendment) Act 1981 (c.18)

17 In section 6 of the Disused Burial Grounds (Amendment) Act...

The Pastoral Measure 1983 (No. 1)

18 (1) The Pastoral Measure 1983 shall be amended as follows....

The Rates Act 1984 (c.33)

19 In section 3(9) of the Rates Act 1984 for “section...

The Companies Act 1985 (c.6)

20 (1) The Companies Act 1985 shall be amended as follows....

The Housing Associations Act 1985 (c.69)

21 (1) The Housing Associations Act 1985 shall be amended as...

Status: Point in time view as at 05/11/1993.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1993 (repealed). (See end of Document for details)

The Financial Services Act 1986 (c.60)

22 In section 45(1)(j) of the Financial Services Act 1986 after...

The Coal Industry Act 1987 (c.3)

23 (1) In section 5 of the Coal Industry Act 1987...

The Reverter of Sites Act 1987 (c.15)

24 In section 4(4) of the Reverter of Sites Act 1987...

The Income and Corporation Taxes Act 1988 (c.1)

25 In Schedule 20 to the Income and Corporation Taxes Act...

The Courts and Legal Services Act 1990 (c.41)

26 In Schedule 11 to the Courts and Legal Services Act...

The London Local Authorities Act 1990 (c.vii)

27 In section 4 of the London Local Authorities Act 1990,...

The London Local Authorities Act 1991 (c.xiii)

28 In section 4 of the London Local Authorities Act 1991,...

The Charities Act 1992 (c.41)

29 (1) The Charities Act 1992 shall be amended as follows....

Other amendments

30 In the following provisions for “the Charities Act 1960” there...

SCHEDULE 7 — Repeals

SCHEDULE 8 — Transitional Provisions

Part I — PROVISIONS APPLYING PENDING COMING INTO FORCE OF PART VI ETC.

1 In the Charities Act 1960— section 8 section 32 Part...

2 In the Charities Act 1985 section 1 sections 6 and...

Part II — PROVISIONS APPLYING PENDING COMING INTO FORCE OF “FINANCIAL YEAR” REGULATIONS

Section 5

In section 5(1) of this Act “financial year”—

Sections 74 and 75

TABLE OF —
DERIVATIONS

Note: The following abbreviations are used in this Table— 1872...

Status:

Point in time view as at 05/11/1993.

Changes to legislation:

There are currently no known outstanding effects for the Charities Act 1993 (repealed).