

Status: Point in time view as at 01/10/2009.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 1993 (repealed), Cross Heading: Constitutional requirements.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

SCHEDULES

[^{F1}SCHEDULE 5B

FURTHER PROVISION ABOUT CHARITABLE INCORPORATED ORGANISATIONS

Textual Amendments

- F1** Sch. 5B inserted (27.2.2007 for the insertion of Sch. 5B paras. 10(2)(3), 13 for specified purposes) by Charities Act 2006 (c. 50), s. 79(2), **Sch. 7 para. 2**; S.I. 2007/309, art. 2, Sch.

Constitutional requirements

- 2 A CIO shall use and apply its property in furtherance of its purposes and in accordance with its constitution.
- 3 If the CIO is one whose members are liable to contribute to its assets if it is wound up, its constitution binds the CIO and its members for the time being to the same extent as if its provisions were contained in a contract—
- (a) to which the CIO and each of its members was a party, and
 - (b) which contained obligations on the part of the CIO and each member to observe all the provisions of the constitution.
- 4 Money payable by a member to the CIO under the constitution is a debt due from him to the CIO, and is of the nature of [^{F2}an ordinary contract debt].]

Textual Amendments

- F2** Words in Sch. 5B para. 4 substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009](#) (S.I. 2009/1941), art. 1(2), **Sch. 1 para. 139(11)** (with art. 10)

Status:

Point in time view as at 01/10/2009.

Changes to legislation:

There are currently no known outstanding effects for the Charities Act 1993 (repealed), Cross Heading: Constitutional requirements.