



Charities Act 2011

2011 CHAPTER 25

PART 18 **E+W**

MISCELLANEOUS AND SUPPLEMENTARY

Offences

345 Restriction on institution of proceedings for certain offences **E+W**

- (1) No proceedings for an offence to which this section applies are to be instituted except by or with the consent of the Director of Public Prosecutions.
- (2) This section applies to any offence under—
 - (a) section 41 (offences in connection with statements required in official publications etc.),
 - (b) section 60 (supply of false or misleading information to Commission etc.),
 - (c) section 77(1) (offence of contravening certain orders made for protection of charities),
 - (d) section 173 (offences of failing to supply certain documents), or
 - (e) section 183(1) (criminal consequences of acting while disqualified).

346 Offences by bodies corporate **E+W**

- (1) If an offence under this Act—
 - (a) is committed by a body corporate, and
 - (b) is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, an officer of the body corporate,the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) In this section, “officer”, in relation to a body corporate, means—

Changes to legislation: Charities Act 2011, Cross Heading: Offences is up to date with all changes known to be in force on or before 07 September 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](#)

- (a) any director, manager, secretary or other similar officer of the body corporate,
or
 - (b) any person who was purporting to act in any such capacity,
- and, in relation to a body corporate whose affairs are managed by its members, “director” means a member of the body corporate.

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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](#)