



Charities Act 2011

2011 CHAPTER 25

PART 6

CY-PRÈS POWERS AND ASSISTANCE AND SUPERVISION OF CHARITIES BY COURT AND COMMISSION

[^{F1}Total return investment

^{F1}[**Total return investment: social investments** ^{F2}104AA

- (1) This section applies to a fund, or a portion of a fund, in respect of which a resolution under section 104A(2) has effect.
- (2) The charity trustees may resolve that—
 - (a) the fund or portion, and
 - (b) any returns from the investment of the fund or portion,may be used to make social investments (within the meaning of section 292A) which they could not otherwise make.
- (3) While a resolution under subsection (2) has effect, regulations under section 104B(1)(b) and (ba) apply to—
 - (a) the fund or portion, and
 - (b) any returns from the investment of the fund or portion.]]

Textual Amendments

F1 Ss. 104A, 104B inserted (6.4.2013 for specified purposes, 1.1.2014 in so far as not already in force) by [Trusts \(Capital and Income\) Act 2013 \(c. 1\)](#), [ss. 4, 5\(3\)](#); [S.I. 2013/676](#), [art. 3](#); [S.I. 2013/2461](#), [art. 2](#)

F2 S. 104AA inserted (14.6.2023) by [Charities Act 2022 \(c. 6\)](#), [ss. 13\(2\)](#), 41(4); [S.I. 2023/643](#), Sch. para.

Changes to legislation:

Charities Act 2011, Section 104AA is up to date with all changes known to be in force on or before 28 May 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.

[View outstanding changes](#)

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](#)