



# Charities Act 2011

## 2011 CHAPTER 25

### PART 7

#### CHARITY LAND

##### *Restrictions on dispositions of land in England and Wales*

#### **119 Requirements for dispositions other than certain leases**

- (1) The requirements mentioned in section 117(2)(b) are that the charity trustees must, before entering into an agreement for the sale, or (as the case may be) for a lease or other disposition, of the land—
  - (a) obtain and consider a written report on the proposed disposition from a [<sup>F1</sup>designated adviser] instructed by the trustees and acting exclusively for the charity,
  - <sup>F2</sup>(b) ..... and
  - (c) decide that they are satisfied, having considered the [<sup>F3</sup>adviser's] report, that the terms on which the disposition is proposed to be made are the best that can reasonably be obtained for the charity.
- (2) Subsection (1) does not apply where the proposed disposition is the granting of such a lease as is mentioned in section 120(1).
- (3) For the purposes of subsection (1) a [<sup>F4</sup>designated adviser] is a person who—
  - (a) is a fellow or professional associate of the Royal Institution of Chartered Surveyors or satisfies such other requirement or requirements as may be prescribed by regulations made by the Minister, and
  - (b) is reasonably believed by the charity trustees to have ability in, and experience of, the valuation of land of the particular kind, and in the particular area, in question.
- (4) Any report prepared for the purposes of subsection (1) must <sup>F5</sup>... deal with such matters <sup>F6</sup>... as may be prescribed by regulations made by the [<sup>F7</sup>Secretary of State].

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*Status: Point in time view as at 14/06/2023.*

*Changes to legislation: Charities Act 2011, Section 119 is up to date with all changes known to be in force on or before 26 July 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)*

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### Textual Amendments

- F1** Words in s. 119(1)(a) substituted (14.6.2023) by Charities Act 2022 (c. 6), **ss. 20(a)**, 41(4); S.I. 2023/643, Sch. para. 9
- F2** S. 119(1)(b) omitted (14.6.2023) by virtue of Charities Act 2022 (c. 6), **ss. 19(a)**, 41(4); S.I. 2023/643, Sch. para. 8
- F3** Word in s. 119(1)(c) substituted (14.6.2023) by Charities Act 2022 (c. 6), **ss. 20(b)**, 41(4); S.I. 2023/643, Sch. para. 9
- F4** Words in s. 119(3) substituted (14.6.2023) by Charities Act 2022 (c. 6), **ss. 20(c)**, 41(4); S.I. 2023/643, Sch. para. 9
- F5** Words in s. 119(4) omitted (14.6.2023) by virtue of Charities Act 2022 (c. 6), **ss. 19(b)(i)**, 41(4); S.I. 2023/643, Sch. para. 8
- F6** Comma in s. 119(4) omitted (14.6.2023) by virtue of Charities Act 2022 (c. 6), **ss. 19(b)(ii)**, 41(4); S.I. 2023/643, Sch. para. 8
- F7** Words in s. 119(4) substituted (9.11.2016) by The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016 (S.I. 2016/997), art. 1(2), **Sch. 2 para. 25(2)(r)** (with art. 12)

**Status:**

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