



# Charities Act 2011

## 2011 CHAPTER 25

### PART 7 **E+W**

#### CHARITY LAND

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

#### **121 Additional restrictions where land held for stipulated purposes **E+W****

- (1) Subsection (2) applies where—
  - (a) any land is held by or in trust for a charity, and
  - (b) the trusts on which it is so held stipulate that it is to be used for the purposes, or any particular purposes, of the charity.
- (2) The land must not be conveyed, transferred, leased or otherwise disposed of unless the charity trustees have before the relevant time—
  - (a) given public notice of the proposed disposition, inviting representations to be made to them within a time specified in the notice, which must be not less than one month from the date of the notice, and
  - (b) taken into consideration any representations made to them within that time about the proposed disposition.
- (3) Subsection (2)—
  - (a) is subject to subsections (5) and (6), and
  - (b) does not affect the operation of sections 117 to 120.
- (4) In subsection (2) “the relevant time” means—
  - (a) where the charity trustees enter into an agreement for the sale, or (as the case may be) for the lease or other disposition, the time when they enter into that agreement, and
  - (b) in any other case, the time of the disposition.
- (5) Subsection (2) does not apply to any such disposition of land as is there mentioned if—

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**Changes to legislation:** Charities Act 2011, Section 121 is up to date with all changes known to be in force on or before 26 June 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](#)

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- (a) the disposition is to be effected with a view to acquiring by way of replacement other property which is to be held on the trusts referred to in subsection (1) (b), or
  - (b) the disposition is the granting of a lease for a term ending not more than 2 years after it is granted (other than one granted wholly or partly in consideration of a fine).
- (6) The Commission may, if the condition in subsection (7) is met, direct—
- (a) that subsection (2) is not to apply to dispositions of land held by or in trust for a charity or class of charities (whether generally or only in the case of a specified class of dispositions or land, or otherwise as may be provided in the direction), or
  - (b) that subsection (2) is not to apply to a particular disposition of land held by or in trust for a charity.
- (7) The condition is that the Commission, on an application made to it in writing by or behalf of the charity or charities in question, is satisfied that it would be in the interests of the charity or charities for the Commission to give the direction.

**Changes to legislation:**

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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](#)