



# Charities Act 2011

## 2011 CHAPTER 25

### PART 12

#### INCORPORATION OF CHARITY TRUSTEES

*Administration etc. of charity whose charity trustees are incorporated*

#### **260 Execution of documents by incorporated body: general**

- (1) This section and section 261 have effect as respects the execution of documents by an incorporated body.
- (2) If an incorporated body has a common seal, a document may be executed by the body by the affixing of its common seal.
- (3) Whether or not it has a common seal, a document may be executed by an incorporated body by being—
  - (a) signed by a majority of the charity trustees of the relevant charity and expressed (in whatever form of words) to be executed by the body, or
  - (b) executed in pursuance of an authority given under section 261(1).
- (4) A document duly executed by an incorporated body which makes it clear on its face that it is intended by the person or persons making it to be a deed has effect, upon delivery, as a deed; and it is presumed, unless a contrary intention is proved, to be delivered upon its being so executed.
- (5) In favour of a purchaser a document is to be treated as having been duly executed by an incorporated body if it purports to be signed by—
  - (a) a majority of the charity trustees of the relevant charity, or
  - (b) such of the charity trustees of the relevant charity as are authorised by the charity trustees of that charity to execute it in the name and on behalf of the body,

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*Status: Point in time view as at 26/06/2020.*

*Changes to legislation: Charities Act 2011, Section 260 is up to date with all changes known to be in force on or before 04 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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and, if the document makes it clear on its face that it is intended by the person or persons making it to be a deed, it is to be treated as having been delivered upon its being executed.

- (6) For the purposes of subsection (5) “purchaser”—
- (a) means a purchaser in good faith for valuable consideration, and
  - (b) includes a lessee, mortgagee or other person who for valuable consideration acquires an interest in property.

**Status:**

Point in time view as at 26/06/2020.

**Changes to legislation:**

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