



Charities Act 2011

2011 CHAPTER 25

PART 13

UNINCORPORATED CHARITIES

Power to transfer all property of unincorporated charity

268 Resolution to transfer all property

- (1) The charity trustees of a charity to which this section applies (see section 267) may resolve for the purposes of this section—
 - (a) that all the property of the charity should be transferred to another charity specified in the resolution, or
 - (b) that all the property of the charity should be transferred to two or more charities specified in the resolution in accordance with such division of the property between them as is so specified.
- (2) Any charity so specified may be either a registered charity or a charity which is not required to be registered.
- (3) But the charity trustees of a charity (“the transferor charity”) do not have power to pass a resolution under subsection (1) unless they are satisfied—
 - (a) that it is expedient in the interests of furthering the purposes for which the property is held by the transferor charity for the property to be transferred in accordance with the resolution, and
 - (b) that the purposes (or any of the purposes) of any charity to which property is to be transferred under the resolution are substantially similar to the purposes (or any of the purposes) of the transferor charity.
- (4) Any resolution under subsection (1) must be passed by a majority of not less than two-thirds of the charity trustees who vote on the resolution.
- (5) Where charity trustees have passed a resolution under subsection (1), they must send a copy of it to the Commission, together with a statement of their reasons for passing it.