



Charities Act 2022

2022 CHAPTER 6

PART 4

CHARITY TRUSTEES

31 Remuneration etc of charity trustees etc

After section 186 of the Charities Act 2011 insert—

“186A Remuneration etc for work already carried out

- (1) This section applies to a person who—
 - (a) has carried out work for or on behalf of a charity, and
 - (b) is a charity trustee or trustee for the charity (or was one when the work was carried out).
- (2) If the condition in subsection (3) is met, the Commission may by order—
 - (a) require the charity trustees of the charity to pay the person such remuneration for the work as must be specified in the order;
 - (b) authorise, to such extent as must be specified in the order, any benefit already received in connection with the work to be retained.
- (3) The condition in this subsection is that the Commission considers that it would be inequitable for the person not to be paid the remuneration or not to retain the benefit.
- (4) In determining whether to make an order under this section, the Commission must in particular have regard to—
 - (a) whether, if the person had not carried out the work, the charity would have paid someone else to carry it out,
 - (b) the level of skill with which the work was carried out,
 - (c) any express provision in the trusts of the charity prohibiting the person from receiving the remuneration or retaining the benefit, and

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2022, Section 31. (See end of Document for details)

- (d) whether remunerating the person or allowing the person to retain the benefit would encourage breaches of trust or breaches of duty by persons in their capacity as charity trustees or trustees for charities.”

Commencement Information

- I1** S. 31 not in force at Royal Assent, see [s. 41\(4\)](#)
I2 [S. 31](#) in force at 7.3.2024 by [S.I. 2024/265](#), reg. 3, [Sch. 1 para. 7](#)

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