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## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

Section 3A(1) of the Charities Act 1993 (“the 1993 Act”) imposes a general requirement that every charity in England and Wales must be registered in the register of charities which is maintained by the Charity Commission.

Section 3A(4)(b) of the 1993 Act requires the Minister for the Cabinet Office to make regulations to ensure that certain charities are, subject to the financial limit in section 3A(2)(c) of that Act, excepted from this requirement. This duty extends to charities which cease to be exempt charities by virtue of section 11 of the Charities Act 2006 or an order made under that section (section 3(5)(b) of the 1993 Act).

These Regulations are made in accordance with that duty. They ensure that the institutions which, in so far as they are charities, cease to be exempt charities:

- (a) on the commencement of section 11 of the Charities Act 2006 for the purposes specified in article 2 of the Charities Act 2006 (Commencement No. 7, Transitional and Transitory Provisions and Savings) Order 2010 ([S.I. 2010/503 \(C.36\)](#)); or
- (b) on the coming into force, on that date, of the Charities Act 2006 (Changes in Exempt Charities) Order 2010 ([S.I. 2010/500](#)),

are excepted, subject to the financial limit mentioned above, from the duty to register with the Charity Commission.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.