
STATUTORY INSTRUMENTS

2012 No. 3012

The Charitable Incorporated
Organisations (General) Regulations 2012

PART 7

MEETINGS AND PROCEDURE

Charity trustee with personal interest in decision

36.—(1) A charity trustee of a CIO who would benefit personally, whether directly or indirectly, from a transaction or arrangement into which the CIO proposes to enter—

- (a) must not take part in the making of any decision whether or not to enter into that transaction or arrangement; and
- (b) must not be counted in the quorum necessary for the discharge of that business.

(2) Paragraph (1)(a) applies to any decision whether of the charity trustees of the CIO or its members.

(3) The restrictions in paragraph (1) do not apply where the transaction or arrangement to be entered into by the CIO cannot reasonably be regarded as likely to give rise to a conflict of interest.

(4) Nothing in this regulation affects the power of the Commission to authorise dealings with charity property etc. under section 105 of the 2011 Act.