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STATUTORY INSTRUMENTS

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**2012 No. 3013**

**The Charitable Incorporated Organisations  
(Insolvency and Dissolution) Regulations 2012**

**PART 5**

**RESTORATION OF A CIO TO THE REGISTER**

**CIO's name on restoration**

**37.**—(1) Subject to paragraphs (2) and (3), a CIO is to be restored to the register with the name it had immediately before it was dissolved.

(2) Where—

- (a) the CIO is to be restored to the register following an application to the court; and
- (b) the order made by the court specifies a new name for the CIO on restoration,

the CIO must be restored to the register with that name.

(3) Where—

- (a) the CIO is to be restored to the register otherwise than following an application to the court; and
- (b) the Commission is satisfied that it would, were an application being made for the registration of the CIO with the name it had immediately prior to its dissolution, refuse to register the CIO on the grounds specified in section 208(2)(a) of the 2011 Act,

the CIO must be restored to the register with a new name specified by the Commission.

(4) Where—

- (a) the CIO is restored to the register with a new name specified by the court, and
- (b) the Commission is satisfied that it could, were an application being made for the registration of the CIO with the new name, refuse to register the CIO on the grounds specified in section 208(2)(a) of the 2011 Act,

the Commission may give a direction to the charity trustees of the CIO requiring the name of the CIO to be changed, within such period as is specified in the direction, to such other name as the charity trustees of the CIO may determine with the approval of the Commission.

(5) The Commission may not give a direction under paragraph (4) after 12 months from the date of the CIO's restoration to the register.

(6) Sections 43 and 44 of the 2011 Act apply to a direction made under paragraph (4) as they apply to a direction made under section 42(1) of that Act.