

CHARITIES ACT 1993 TABLES OF DESTINATIONS Anne-Marie Piper¹

The Charities Act 1993, which received Royal Assent on 25th May 1993, came into force from 1st August 1993.

It is a consolidation of the Charitable Trustees Incorporation Act 1872 and, except for certain spent or transitional provisions, the Charities Act 1960 and Parts I and IV of the Charities Act 1992.

The Act contains a table of derivations but no table of destinations. This omission is remedied by Table 1 overleaf.

Table 2 contains a list of those provisions of the 1960 and 1992 Acts which continue.

Sections 41 to 49 of the 1993 Act, formerly sections 19 to 27 of Charities Act 1992, (dealing with accounts) and parts II and III of the 1992 Act (dealing respectively with the control of fund-raising for charitable institution and public charitable collections) are not yet in force. Rescheduled commencement dates for these provisions are set out in Table 3.

KEY TO TABLES	
CTIA 1872:	Charitable Trustees Incorporation Act 1872
CA 1960:	Charities Act 1960
RCRBA 1969:	Redundant Churches & Other Religious Buildings Act 1969

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TABLE 1
CHARITIES ACT 1993
TABLE OF DESTINATIONS

<i>Charitable Trustees Incorporation Act 1872</i>			& Minister		
ss.1-8, 10, 12 12A & 14	Incorporation	ss.50-62	s.23	To authorise dealings with charity property	s.26
			s.23A.	Ex-gratia payments etc	s.27
			s.24	To advise trustees	s.29
			s.25	For preservation of charity documents	s.30
			s.26	To order taxation of solicitor's bill	s.31
			s.26A	To bring legal proceedings	s.32
<i>Charities Act 1960</i>			Miscellaneous		
s.1	The Charity Commissioners	s.1	s.28(1)-(8)	Legal proceedings	s.33
s.3	The Official Custodian for Charities	s.2	s.28(9)	See Table 2	
			s.28A	Inquiry Report, charitable companies	s.34
s.4	Register of Charities	s.3	s.30	Winding-up	s.63
s.4(8B)	Regulation & Orders	s.86	s.30A	Alteration of objects clause	s.64
s.5	Registration	s.4	s.30B	Invalidity of certain transactions	s.65
Registration of Charities			s.30BA	Consent for certain acts	s.66
			s.30BB	Name on correspondence etc	s.67
			s.30C	Status on correspondence etc	s.68
			s.32	Obligation to keep accounts	s.46
			s.33	Notice of charity meetings	s.81
			s.34	Executing Instruments	s.82
			s.35(1)-(5)	Title to property	s.83
			s.35(6)	See Table 2	
			s.36	Evidence	s.93
			s.37	Parochial charities	s.79
			s.38)		
			s.39)	See Table 2	
Inquiries Powers of Commissioners & Minister to Obtain Information etc.					
s.6	Inquiries	s.8			
s.7	Power to call for documents	s.9			
s.8	Accounts	s.69			
s.9	Exchange of information	s.84			
ss.10-12	Local Charities and Local Authorities	ss.76-78			
Application of Property Cy-près					
s.13	Cy-près occasions	s.13			
s.14	Unknown or disclaiming donors	s.14			
s.15	Charter and Statute Charities	s.15			
Official Custodian					
ss.16-17	Property vested in official custodian	ss.21-22			
Powers of Commissioners & Minister to Make Schemes etc					
s.18	Jurisdiction	s.16			
s.18(14)	Regulations and Orders	s.86			
s.19	Further powers	s.17			
s.20	Protective powers	s.18			
s.20A	Receivers and Managers	s.19			
s.21	Publicity for proceedings	s.20			
s.21A	Trust Corporations	s.35			
Common Investment & Deposit Funds					
s.22	Investment & Deposit Funds	s.24			
s.22A	Deposit funds	s.25			
Miscellaneous Powers of Commissioners					

Supplementary			Powers for Charity Administration		
s.40	Orders of Commissioners or Minister	s.89	s.13	Jurisdiction	s.16
s.41	Enforcement of Commissioners' Orders	s.88	s.13(6)	Regulations and Orders	s.86
s.42	Appeals	s.92	s.14	Trust Corporations	s.35
s.43	Regulations	s.86	s.15	Cy-près	s.14
s.45(1)-(5)	Construction of reference to charity and classes of charities	s.96	s.16	Common Deposit Funds	s.25
s.45(6)	Excepted Charities	s.3(13)	s.17	Ex-gratia payments etc.	s.27
s.46	Other definitions	s.97	s.18	Dormant bank accounts	s.28
s.49(2)(c)	Extent	s.100			
Sch. 1	Constitution etc. of Charity Commissioners	Sch. 1	Charity Accounts		
Sch. 2	Enforcement of Orders	Sch. 2	s.19	Accounting Records	s.41
Sch. 3	Appeals from Commissioners or Minister	Sch. 3	s.20	Annual statements of Accounts	s.42
Sch. 4	Expenses	Sch. 4	s.21	Annual audit or examination	s.43
			s.22	Supplementary	s.44
			s.23	Annual reports	s.45
			s.24	Exempt and Excepted charities	s.46
			s.25	Public Inspection	s.47
			s.25(2)	Public Inspection	s.84
			s.26	Annual Returns	s.48
			s.27	Offences	s.49
Charities Act 1992			Charity Proceedings		
s.1	Interpretation	s.97	s.28	Commissioners' powers	s.32
s.1(2)	"	s.96			
Registration of Charities			Charity Property		
s.2	The Register of Charities	s.3	s.29)		
s.2(7)	Regulations and Orders	s.86	s.30)	See Table 2	
s.3	Publication of charitable status	s.5	s.31	Reverter of Sites Act 1987 land	s.23
			s.32	Restrictions on dispositions	s.36
			s.33	" "	s.37
			s.34	Mortgaging charity land	s.38
			s.35	" "	s.39
			s.36	See Table 2	
			s.37	Release of rentcharges	s.40
Charity Names			Powers of Investment		
s.4	Commissioners' powers	s.6	s.38	Wider-range investments	s.70
s.5	Charitable companies	s.7	s.39	Extension of powers	s.71
Supervision and Control by Commissioners			Charitable Companies		
s.6	Inquiries	s.8	s.40	Alteration of objects clause etc.	s.64
s.7	Obtaining information	s.9	s.40A	Service of Orders etc.	s.91
s.8	Protective powers	s.18	s.41	Consent for certain acts	s.66
s.9	Receivers and managers	s.19	s.42	Name on correspondence etc.	s.67
s.10	Charitable companies	s.63			
s.11	Inquiry Reports	s.34			
s.12	Scottish charities	s.80			
			Small Charities		
			s.43	Power to transfer property, modify objects, etc.	s.74
			s.44	Power to spend capital	s.75
			Disqualification of Trustees		
			s.45	Persons disqualified	s.72
			s.46	Acting while disqualified	s.73
Miscellaneous and Supplemental					

ss.47-48	Amending CA 1960 and CTIA 1872	None
ss.49-50	See Table 2	
s.51	Fees payable to Commissioners	s.85
s.52	Disclosure to and by Commissioners	s.10
s.53	Data protection	s.12
s.54	False or misleading information	s.11
s.55	Restriction on institution of proceedings	s.94
s.56(1)(2)(6)	Enforcement by Commissioners' order	s.87
s.56(3)(6)	Enforcement of Commissioners' orders	s.88
s.56(4)-(6)	Commissioners' orders	s.89
s.57	Commissioners' directions	s.90

Control of Fund-Raising

ss.58-64	See Table 2
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Public Charitable Collections

ss.65-74	See Table 2
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General

s.75	Offences by bodies corporate	s.95
s.76	Service of documents	s.91
s.77	Regulations and Orders	s.86
s.78	Minor repeals and amends	None
s.79(3)-(5)	Short title, commencement & extent	s.100
Sch. 2	Meaning of "connected person"	Sch. 5

TABLE 2
CHARITIES ACT 1960 & 1992
PROVISIONS REMAINING
IN FORCE

Charities Act 1960

s.28(9)	Taking of legal proceedings
s.35(6)	Transfer and evidence of title to property vested in trustees
s.38(3)-(5)	Repeal of law of mortmain
s.39(2)	Repeal of obsolete enactments
s.48	Consequential amendments
s.49	Short title, extent and commencement
Schedule 6	Consequential amendments

Charities Act 1992

s.1(1) & (4)	Interpretation
ss.29 & 30	Divestment of charity property held by official custodian for charities
s.36	Removal of requirements for consent to dealing with charity land
s.49	Amendment of RCRBA 1969
s.50	Contributions towards maintenance etc. of almshouses
ss.58-64	Part II: Control of Fund-Raising for

ss.65-74	Charitable Institutions
Collections	Part III: Public Charitable
s.75(a)	Offences by bodies corporate
s.76 (part)	Service of documents
s.77 (part)	Regulations and Orders
s.79 (part)	Short title, commencement & extent
Sch. 5	Amendments to RCRBA 1969
Sch. 6(except para 13(2))	Amendments
Sch. 7(part)	Repeals

TABLE 3
CHARITIES ACT 1992:
RESCHEDULED
COMMENCEMENT DATES

ss. 19-27 (ss.41-49 CA 1993)	
Charity Accounts	30.6.94
Part II (ss.58-64)	
Control of Fund-raising for Charitable Institutions	31.3.94
Part III (ss. 65-74)	
Public Charitable Collections	31.12.94