



# Charities Act (Northern Ireland) 2008

## CHAPTER 12

### CHARITIES ACT (NORTHERN IRELAND) 2008

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*Changes to legislation:* There are currently no known outstanding effects for the Charities Act (Northern Ireland) 2008. (See end of Document for details)

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11. The official custodian for charities in Northern Ireland

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*Changes to legislation:* There are currently no known outstanding effects for the Charities Act (Northern Ireland) 2008. (See end of Document for details)

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*Changes to legislation:* There are currently no known outstanding effects for the Charities Act (Northern Ireland) 2008. (See end of Document for details)

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**Changes to legislation:** There are currently no known outstanding effects for the Charities Act (Northern Ireland) 2008. (See end of Document for details)

*Terms of appointment*

1. The members of the Commission shall hold and vacate office...
2. (1) An appointment of a person to hold office as...

*Remuneration, etc.*

3. The Department may, with the approval of the Department of...

*Staff*

4. (1) The Commission may with the approval of the Department...
5. (1) The Commission may make arrangements with the Department for...

*Annual report*

6. (1) The Commission shall, as soon as reasonably practicable after...

*Money*

7. (1) Expenditure incurred by the Commission may be defrayed as...
8. (1) The Commission shall keep accounts and financial records in...

*Procedure*

9. (1) In determining its own procedure the Commission may, in...

*Power to transfer property*

10. (1) This paragraph applies where the Department—

*Status*

11. The Commission shall not be regarded as the servant or...

*The Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

12. In Part 2 of Schedule 1 to the Northern Ireland...

*The Commissioner for Complaints (Northern Ireland) Order 1996 (NI 7)*

13. In Schedule 2 to the Commissioner for Complaints (Northern Ireland)...

*The Freedom of Information Act 2000 (c. 36)*

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SCHEDULE 2 — THE CHARITY TRIBUNAL

*Membership*

1. (1) The Tribunal shall consist of the President and its...
2. The Lord Chief Justice may designate a legal member of...

*Terms of appointment*

3. (1) The members of the Tribunal shall hold and vacate...
4. (1) A person shall not hold office as a member...

*Remuneration, etc.*

5. The Department of Justice may pay to the members of...

*Staff and facilities*

6. The Department of Justice may make staff and facilities available...

*Panels*

7. (1) The functions of the Tribunal shall be exercised by...
8. (1) The President shall make arrangements for determining which of...

*Practice and procedure*

9. (1) Decisions of the Tribunal may be taken by majority...
10. The President may, subject to rules under section 13, give...

*Transitory provision*

11. Until the commencement of section 5(1) of the Justice (Northern...

*The Northern Ireland Assembly Disqualification Act 1975 (c. 25)*

12. In Part 2 of Schedule 1 to the Northern Ireland...

SCHEDULE 3 — APPEALS AND APPLICATIONS TO TRIBUNAL

*Appeals: general*

1. (1) Except in the case of a reviewable matter (see...

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*Appeals: orders under section 23*

2. (1) Paragraph 1(4)(a) does not apply in relation to an...

*Reviewable matters*

3. (1) In this Schedule references to “reviewable matters” are to —...

*Reviews*

4. (1) An application may be made to the Tribunal for...

*Interpretation: remission of matters to Commission*

5. References in column 3 of the Table to the power...

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6. (1) The Department may by order— (a) amend or otherwise...

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1. (1) A question which— (a) has arisen in connection with...

*References by Attorney General*

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*Powers of Commission in relation to matters referred to Tribunal*

3. (1) This paragraph applies where a question which involves the...

*Suspension of time limits while reference in progress*

4. (1) Sub-paragraph (2) applies if— (a) paragraph 3(2) prevents the...

*Agreement for Commission to act while reference in progress*

5. (1) Paragraph 3(2) does not apply in relation to any...

*Appeals and applications in respect of matters determined on references*

6. (1) No appeal or application may be made to the...

### *Interpretation*

7. In this Schedule “charity law” means— (a) any statutory provision...

### SCHEDULE 5 — MEANING OF “CONNECTED PERSONS” FOR PURPOSES OF SECTION 57(2)

1. (1) In section 57(2) “connected person”, in relation to a...
2. (1) In paragraph 1(2)(c) “child” includes a stepchild.
3. For the purposes of paragraph 1(2)(g) a person controls an...
4. (1) For the purposes of paragraph 1(2)(h) any such connected...

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#### *Interpretation*

1. (1) This paragraph applies for the purposes of this Schedule....

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#### *Preparation of group accounts*

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#### *Preservation of group accounts*

5. (1) The charity trustees of a charity shall preserve any...

#### *Audit accounts of larger groups*

6. (1) This paragraph applies where group accounts are prepared for...

#### *Examination of accounts of smaller groups*

7. (1) This paragraph applies where— (a) group accounts are prepared...

#### *Supplementary provisions relating to audits, etc.*

8. (1) Section 66(1) shall apply in relation to audits and...

#### *Duty of auditors, etc. to report matters to Commission*

9. (1) Section 67(2) to (5) and (7) shall apply in...

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*Annual reports*

10. (1) This paragraph applies where group accounts are prepared for...

*Public inspection of annual reports, etc.*

11. In section 69(3), the reference to a charity's most recent...

*Offences*

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*Aggregate gross income*

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1. (1) Subject to anything in its constitution, a CIO has...

*Constitutional requirements*

2. A CIO shall use and apply its property in furtherance...
3. If the CIO is one whose members are liable to...
4. Money payable by a member to the CIO under the...

*Third parties*

5. (1) Sub-paragraphs (2) and (3) are subject to sub-paragraph (4)....
6. (1) Nothing in paragraph 5 prevents a person from bringing...
7. Nothing in paragraph 5(3) affects any liability incurred by the...
8. Nothing in paragraph 5 absolves the CIO's charity trustees from...

*Duties*

9. It is the duty of— (a) each member of a...
10. (1) Subject to any provision of a CIO's constitution permitted...

*Personal benefit and payments*

11. (1) A charity trustee of a CIO may not benefit...
12. A charity trustee of a CIO— (a) is entitled to...

*Procedure*

13. (1) The Department may by regulations make provision about the...

*Amendment of constitution*

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*Registration and coming into effect of amendments*

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*The Police, Factories, &c. (Miscellaneous Provisions) Act 1916 (c. 31)*

1. (1) Section 5 of the Police, Factories, &c. (Miscellaneous Provisions)...

*The Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24)*

2. In section 38A(6) (power of registered societies to disapply section...

*The Administration of Estates (Northern Ireland) Order 1979 (NI 14)*

3. In Article 9 (grant of representation to trust corporation) in...

*The Education and Libraries (Northern Ireland) Order 1986 (NI 3)*

4. In Article 90(7) (teachers' residences provided, etc. by statutory loan...

*The Companies (Northern Ireland) Order 1986 (NI 6)*

5. In Article 217(10)(a) (interests to be disregarded), after “under” insert...
6. In Schedule 13 (provisions supplementing and interpreting Articles 332 to...

*The Street Trading Act (Northern Ireland) 2001 (c. 8)*

7. (1) Section 2(1) (activities which are not street trading) is...

*The Trustee Act (Northern Ireland) 2001 (c. 14)*

8. In section 43(1) (interpretation), in the definition of “charitable trust”,...

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*The Criminal Justice and Police Act 2001 (c. 16)*

9. In Schedule 1 (powers of seizure to which section 50...

*The Housing (Northern Ireland) Order 2003 (NI 2)*

10. In Article 119(6) (religious denominations, charities, &c.) for “the Charities...

*The Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27)*

11. In section 63(1) (interpretation), for the definition of “Northern Ireland...

*The Pensions (Northern Ireland) Order 2005 (NI 1)*

12. In Schedule 3 (disclosure for facilitating discharge of functions by...

*The Companies Act 2006 (c. 46)*

13. (1) In section 21(2)(b) for “Article 9 of the Charities...

SCHEDULE 9 — REPEALS



**Changes to legislation:**

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