



Charities Act (Northern Ireland) 2008

CHAPTER 12

CHARITIES ACT (NORTHERN IRELAND) 2008

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11. The official custodian for charities in Northern Ireland

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Status: This is the original version (as it was originally enacted).

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SCHEDULE 1 — THE CHARITY COMMISSION FOR NORTHERN IRELAND

Status: This is the original version (as it was originally enacted).

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)

14. In Part 7 of Schedule 1 to the Freedom of...

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 Office of the First Minister and deputy First Minister...

Staff and facilities

6. The Lord Chancellor may make staff and facilities available to...

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...

Status: This is the original version (as it was originally enacted).

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...

Power to amend Table, etc.

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

SCHEDULE 4 — REFERENCES TO THE TRIBUNAL

References by the Commission

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

References by Attorney General

2. (1) A question which involves either— (a) the operation of...

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...

SCHEDULE 6 — GROUP ACCOUNTS

Interpretation

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

Accounting records

2. (1) The charity trustees— (a) of a parent charity, or...

Preparation of group accounts

3. (1) This paragraph applies in relation to a financial year...

Exceptions relating to requirement to prepare group accounts

4. (1) The requirement in paragraph 3(2) does not apply to...

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...

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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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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...

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12. (1) Section 71(1) applies in relation to a requirement within...

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13. The Department may by regulations make provision for determining for...

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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

14. (1) A CIO may by resolution of its members amend...

Registration and coming into effect of amendments

15. (1) A CIO shall send to the Commission a copy...

SCHEDULE 8 — MINOR AND CONSEQUENTIAL AMENDMENTS

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”,...

Status: This is the original version (as it was originally enacted).

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...

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