



# Charities Act 2011

## 2011 CHAPTER 25

### PART 7

#### CHARITY LAND

##### *Restrictions on dispositions of land in England and Wales*

#### **118 Meaning of “connected person” in s.117(2)**

- (1) In section 117(2) “connected person”, in relation to a charity, means any person who falls within subsection (2)—
- (a) at the time of the disposition in question, or
  - (b) at the time of any contract for the disposition in question.
- (2) <sup>[F1]</sup>Subject to subsection (2A), the] persons are—
- (a) a charity trustee or trustee for the charity,
  - (b) a person who is the donor of any land to the charity (whether the gift was made on or after the establishment of the charity),
  - (c) a child, parent, grandchild, grandparent, brother or sister of any such trustee or donor,
  - (d) an officer, agent or employee of the charity,
  - (e) the spouse or civil partner of any person falling within any of paragraphs (a) to (d),
  - (f) a person carrying on business in partnership with any person falling within any of paragraphs (a) to (e),
  - (g) an institution which is controlled—
    - (i) by any person falling within any of paragraphs (a) to (f), or
    - (ii) by two or more such persons taken together, or
  - (h) a body corporate in which—
    - (i) any connected person falling within any of paragraphs (a) to (g) has a substantial interest, or
    - (ii) two or more such persons, taken together, have a substantial interest.

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**Changes to legislation:** Charities Act 2011, Section 118 is up to date with all changes known to be in force on or before 15 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- [<sup>F2</sup>(2A) A person who is an employee of the charity does not fall within subsection (2)(d) if the disposition in question is the grant of a tenancy—
- (a) for a fixed term of one year or less or which is a periodic tenancy and the period is one year or less, and
  - (b) which confers the right to occupy a dwelling as a home.]
- (3) Sections 350 to 352 (meaning of child, spouse and civil partner, controlled institution and substantial interest) apply for the purposes of subsection (2).

#### Textual Amendments

- F1** Words in s. 118(2) substituted (14.6.2023) by Charities Act 2022 (c. 6), s. 41(4), **Sch. 2 para. 28**; S.I. 2023/643, Sch. para. 20(l)
- F2** S. 118(2A) inserted (14.6.2023) by Charities Act 2022 (c. 6), **ss. 22**, 41(4); S.I. 2023/643, Sch. para. 11

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 106(1)-(1B) substituted for s. 106(1) by [2022 c. 6 s. 16\(a\)](#)
- s. 322(2)(ea) inserted by [2022 c. 6 Sch. 2 para. 26](#)
- s. 331A331B and cross-heading inserted by [2022 c. 6 s. 15](#)