

## SCHEDULE 2

### Consequential amendments

## PART 1

### Primary legislation

#### Charities Act 2011 (c. 25)

**25.**—(1) The Charities Act 2011 is amended as follows.

(2) In the following provisions for “Minister” in each place substitute “ Secretary of State ”

- (a) section 19(1) (fees payable to the Charity Commission);
- (b) section 23(1), (2) and (3) (power to add or remove exempt charities);
- (c) section 24 (power to remove defunct institutions);
- (d) section 27(1) (amendments in relation to duty of principal regulator);
- (e) section 30(2)(c)(i) (description of charity not required to be registered)
- (f) section 32(1), (2) and (3) (amendment of registration requirements);
- (g) section 33 (repeal of provisions relating to excepted charities);
- (h) section 35(2)(b) (duties of trustees in connection with registration);
- (i) section 36(2) (claims and objections to registration);
- (j) section 40 (requirement for disclosure of registered charity status);
- (k) section 42(2)(c) (power to require charity's name to be changed);
- (l) section 58(5) (disclosure to and by principal regulators of exempt charities);
- (m) section 72 (amendment of power of Commission to make schemes);
- (n) section 73(2) (power to make schemes altering provision made by Acts);
- (o) section 78(8) (appointment of interim managers);
- (p) section 88(1)(b) (publicity relating to schemes);
- (q) section 109(3)(d) (dormant bank accounts);
- (r) section 119(4) requirements for dispositions other than certain leases);
- (s) section 128 (release of charity rentcharges);
- (t) section 132(1) (preparation of statement of accounts);
- (u) section 139(2) and (3) (exceptions to requirement to prepare group accounts);
- (v) section 142(1)(b) (definition of “group accounts”);
- (w) section 145(6) (examination of accounts for lower-income charities);
- (x) section 154(1) (audits and examinations);
- (y) section 162(1) (preparation of annual reports by charity trustees);
- (z) section 166(2) (annual reports and group accounts);
- (aa) section 174(1) (powers to set financial thresholds);
- (bb) section 175 (aggregate gross income of group);
- (cc) section 176(3) (powers to set financial thresholds);

**Changes to legislation:** There are currently no known outstanding effects for the *The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016, Paragraph 25*. (See end of Document for details)

- (dd) section 178A(4) (specified offences) <sup>M1</sup>;
- (ee) section 181A(8) (disqualification orders) <sup>M2</sup>;
- (ff) section 190 (indemnity insurance);
- (gg) section 247 (charitable incorporated organisations);
- (hh) section 285(1) (unincorporated charities);
- (ii) section 292 (special trusts);
- (jj) section 324(1) and (2) (appeals and applications to the Tribunal);
- (kk) section 331(1)(b) (definition of “charity law”);
- (ll) section 340(3) (enrolment and deposit of documents);
- (mm) section 347(1), (2) and (3) (general provisions on regulations and orders);
- (nn) section 348(4) (requirement to consult before making certain regulations);
- (oo) in Schedule 1 (Charity Commission), paragraphs 1(1)(a), (b) and (2), 3(2)(a), (b) and (3), 4(1), (2), (2)(a), (3) and (4);
- (pp) in Part 3 of Schedule 8 (transitionals and savings), paragraph 15(1);
- (qq) in Schedule 9 (transitory modifications), paragraphs 6(2), 29(3)(b) and 29(5)(b);
- (3) In section 25 (meaning of the “principal regulator”), for “Minister”, in the second place it appears, substitute “ Secretary of State ”.
- (4) In section 353(1), omit the definition of “the Minister”.
- (5) In Schedule 11 (index of defined expressions), omit the entry for “the Minister”.

**Marginal Citations**

- M1** Section 178A was inserted by section 9 of the [Charities \(Protection and Social Investment\) Act 2016 \(c.4\)](#).
- M2** Section 181A was inserted by section 10 of the [Charities \(Protection and Social Investment\) Act 2016 \(c.4\)](#).

**Changes to legislation:**

There are currently no known outstanding effects for the The Transfer of Functions (Elections, Referendums, Third Sector and Information) Order 2016, Paragraph 25.