
STATUTORY INSTRUMENTS

2022 No. 1290

The Charities Act 2006 (Principal Regulators of Exempt Charities) (Amendment) Regulations 2022

Amendments to the Charities Act 2006 (Principal Regulators of Exempt Charities) Regulations 2011

2.—(1) The Charities Act 2006 Principal Regulators of Exempt Charities) Regulations 2011 (1) are amended as follows.

(2) For Regulation 5 (appointment of principal regulator of exempt charities: academies), substitute—

“Appointment of principal regulator of exempt charities: academies

5.—(1) Subject to paragraph (2), the Secretary of State for Education is prescribed as the principal regulator of any qualifying Academy proprietor (within the meaning of section 12 of the Academies Act 2010).

(2) Where a qualifying Academy proprietor has entered into academy arrangements for the purpose of the setting up, establishment and running of a secure 16 to 19 academy (as defined by section 1B(7) of the Academies Act 2010), the principal regulator is prescribed as the Secretary of State for Justice.”

(3) In Regulation 6 (Definition of “responsible person”)—

(a) in paragraph (1)—

(i) for “section 10A of the Charities Act 1993” substitute “section 57 of the Charities Act 2011”;

(ii) for “subsection (7)” substitute “subsection (8)”;

(b) in paragraph (2)—

(i) for “section 10A of the Charities Act 1993” substitute “section 57 of the Charities Act 2011”;

(ii) for “subsection (7)” substitute “subsection (8)”;

(c) after paragraph (2) insert—

“(3) In its application to the Secretary of State for Justice as principal regulator of an exempt charity by virtue of these Regulations, section 57 of the Charities Act 2011 has effect as if, for the definition of “responsible person” in subsection (8), there were substituted—

““responsible person” means a person who is or was—

(a) the Secretary of State for Justice;

(b) acting on behalf of the Secretary of State for Justice; or

(c) a member of a committee established by the Secretary of State for Justice.””

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
