



# Charities Act 2011

## 2011 CHAPTER 25

### PART 12

#### INCORPORATION OF CHARITY TRUSTEES

##### *Application procedure*

#### **256 Applications for incorporation**

- (1) Every application to the Commission for a certificate of incorporation under this Part must be—
  - (a) in writing and signed by the charity trustees of the charity concerned, and
  - (b) accompanied by such documents or information as the Commission may require for the purpose of the application.
- (2) The Commission may require—
  - (a) any statement contained in any such application, or
  - (b) any document or information supplied under subsection (1)(b),to be verified in such manner as it may specify.

#### **257 Requirement to be met before certificate is granted**

Before a certificate of incorporation is granted under this Part, charity trustees of the charity must have been effectually appointed to the satisfaction of the Commission.

#### **258 Certificate conclusive as to compliance with incorporation requirements etc.**

- (1) A certificate of incorporation granted under this Part is conclusive evidence that all the preliminary requirements for incorporation under this Part have been complied with.
- (2) The date of incorporation mentioned in the certificate is to be treated as being the date at which incorporation has taken place.

**Changes to legislation:**

Charities Act 2011, Cross Heading: Application procedure is up to date with all changes known to be in force on or before 11 May 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.

[View outstanding changes](#)

**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](#)