



Charities Act 2011

2011 CHAPTER 25

PART 9

CHARITY TRUSTEES, TRUSTEES AND AUDITORS ETC.

Remuneration of charity trustees and trustees etc.

[^{F1}186A Remuneration etc for work already carried out

- (1) This section applies to a person who—
 - (a) has carried out work for or on behalf of a charity, and
 - (b) is a charity trustee or trustee for the charity (or was one when the work was carried out).
- (2) If the condition in subsection (3) is met, the Commission may by order—
 - (a) require the charity trustees of the charity to pay the person such remuneration for the work as must be specified in the order;
 - (b) authorise, to such extent as must be specified in the order, any benefit already received in connection with the work to be retained.
- (3) The condition in this subsection is that the Commission considers that it would be inequitable for the person not to be paid the remuneration or not to retain the benefit.
- (4) In determining whether to make an order under this section, the Commission must in particular have regard to—
 - (a) whether, if the person had not carried out the work, the charity would have paid someone else to carry it out,
 - (b) the level of skill with which the work was carried out,
 - (c) any express provision in the trusts of the charity prohibiting the person from receiving the remuneration or retaining the benefit, and
 - (d) whether remunerating the person or allowing the person to retain the benefit would encourage breaches of trust or breaches of duty by persons in their capacity as charity trustees or trustees for charities.]

Changes to legislation: Charities Act 2011, Section 186A 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. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** S. 186A inserted (7.3.2024) by [Charities Act 2022 \(c. 6\)](#), **ss. 31**, 41(4); [S.I. 2024/265](#), reg. 3, Sch. 1 para. 7

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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](#)