



# Charities Act 2011

## 2011 CHAPTER 25

### PART 4

#### REGISTRATION AND NAMES OF CHARITIES

##### *Registration: duties of trustees and claims and objections*

### **35 Duties of trustees in connection with registration**

- (1) If a charity required to be registered by virtue of section 30(1) is not registered, the charity trustees must—
  - (a) apply to the Commission for the charity to be registered, and
  - (b) supply the Commission with the required documents and information.
- (2) The required documents and information are—
  - (a) copies of the charity's trusts or (if they are not set out in any extant document) particulars of them,
  - (b) such other documents or information as may be prescribed by regulations made by the [<sup>F1</sup>Secretary of State], and
  - (c) such other documents or information as the Commission may require for the purposes of the application.
- (3) If an institution is for the time being registered, the charity trustees (or the last charity trustees) must—
  - (a) notify the Commission if the institution ceases to exist, or if there is any change in its trusts or in the particulars of it entered in the register, and
  - (b) so far as appropriate, supply the Commission with particulars of any such change and copies of any new trusts or alterations of the trusts.
- (4) Nothing in subsection (3) requires a person—
  - (a) to supply the Commission with copies of schemes for the administration of a charity made otherwise than by the court,

---

*Changes to legislation: Charities Act 2011, Section 35 is up to date with all changes known to be in force on or before 29 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*

---

- (b) to notify the Commission of any change made with respect to a registered charity by such a scheme, or
- (c) if the person refers the Commission to a document or copy already in the Commission's possession, to supply a further copy of the document.

---

**Textual Amendments**

- F1** Words in s. 35(2)(b) substituted (9.11.2016) by [The Transfer of Functions \(Elections, Referendums, Third Sector and Information\) Order 2016 \(S.I. 2016/997\)](#), art. 1(2), **Sch. 2 para. 25(2)(h)** (with art. 12)

---

**Modifications etc. (not altering text)**

- C1** S. 35 modified (2.1.2013) by [The Charitable Incorporated Organisations \(General\) Regulations 2012 \(S.I. 2012/3012\)](#), regs. 1, **6(4)**

**Changes to legislation:**

Charities Act 2011, Section 35 is up to date with all changes known to be in force on or before 29 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](#)