



# Charities Act 2011

## 2011 CHAPTER 25

### PART 1

#### MEANING OF “CHARITY” AND “CHARITABLE PURPOSE”

### CHAPTER 1

#### GENERAL

##### *Recreational trusts and registered sports clubs*

#### **5 Recreational and similar trusts, etc.**

- (1) It is charitable (and is to be treated as always having been charitable) to provide, or assist in the provision of, facilities for—
  - (a) recreation, or
  - (b) other leisure-time occupation,if the facilities are provided in the interests of social welfare.
- (2) The requirement that the facilities are provided in the interests of social welfare cannot be satisfied if the basic conditions are not met.
- (3) The basic conditions are—
  - (a) that the facilities are provided with the object of improving the conditions of life for the persons for whom the facilities are primarily intended, and
  - (b) that—
    - (i) those persons have need of the facilities because of their youth, age, infirmity or disability, poverty, or social and economic circumstances, or
    - (ii) the facilities are to be available to members of the public at large or to male, or to female, members of the public at large.

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**Changes to legislation:** Charities Act 2011, Section 5 is up to date with all changes known to be in force on or before 23 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](#)

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- (4) Subsection (1) applies in particular to—
- (a) the provision of facilities at village halls, community centres and women's institutes, and
  - (b) the provision and maintenance of grounds and buildings to be used for purposes of recreation or leisure-time occupation,
- and extends to the provision of facilities for those purposes by the organising of any activity.

But this is subject to the requirement that the facilities are provided in the interests of social welfare.

- (5) Nothing in this section is to be treated as derogating from the public benefit requirement.

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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](#)