

Statutory Document No. 2019/0381



*Charities Registration and Regulation Act 2019*

## **CHARITIES REGISTRATION AND REGULATION ACT 2019 (APPOINTED DAY) ORDER 2019**

*Made:*

*24 September 2019*

The Attorney General makes the following Order under section 2 of the Charities Registration and Regulation Act 2019.

### **1 Title**

This Order is the Charities Registration and Regulation Act 2019 (Appointed Day) Order 2019.

### **2 Interpretation**

In this Order—

- (a) “**the 1989 Act**” means the *Charities Registration Act 1989*;
- (b) “**the Act**” means the *Charities Registration and Regulation Act 2019* and a reference to a numbered provision of a particular description (without more) is a reference to the provision of that description so numbered in the Act; and
- (c) “**the old law**” means the *Public Charities Act 1922* and the 1989 Act.

### **3 Commencement of provisions of the Act**

- (1) The Act comes into operation as follows.
- (2) The following provisions come into operation on 1 October 2019—
  - (a) for all purposes—
    - (i) sections 1 and 2;
    - (ii) in section 3—
      - in subsection (1), the definitions of “approved form”, “charitable purposes”, “the Charities Acts”, “charity”, “charity trustee”, “company”, “ecclesiastical charity”, “governing instrument”, “institution”, “prescribed”, “the

- register of charity mergers”, and “unacceptable document”; and
- subsection (2);
  - (iii) sections 4 to 7;
  - (iv) section 14;
  - (v) sections 24 to 26;
  - (vi) sections 31 to 35;
  - (vii) section 42;
  - (viii) section 46;
  - (ix) section 50
  - (x) section 51;
  - (xi) section 53;
  - (xii) sections 54 to 59;
  - (xiii) section 60;
  - (xiv) in section 61, subsections (1), (2), (3)(b) and (3)(e);
  - (xv) section 64; and
  - (xvi) section 68;
- (b) for the purpose of making subordinate legislation—
- (i) in section 9, subsections (2) and (4);
  - (ii) section 10(3);
  - (iii) section 11(1);
  - (iv) section 12(1)(a)(iii);
  - (v) section 13(1);
  - (vi) section 16(2);
  - (vii) section 23(4)(b)(iii);
  - (viii) section 27(3)(b)(ii);
  - (ix) section 29(1);
  - (x) section 36(1)(e); and
  - (xi) section 49; and
- (c) section 9(3), so far as is necessary for the purposes of sections 25(9) and 31(3).
- (3) The Act comes into operation for all remaining purposes on 1 April 2020.

#### 4 Transitional provisions

- (1) Prior to 1 April 2020—

- (a) in the Act, “registered charity” has the meaning given in section 15(1) of the 1989 Act and “the register” means the list of registered charities kept by the Registrar General;
  - (b) in section 25(8), the reference to section 39(2)(a) of the Act is a reference to section 10(2)(a) of the 1989 Act;
  - (c) in section 51, “agent” has the meaning given in section 15(1) of the 1989 Act;
  - (d) in section 64 of the Act and section 64 of the *Foundations Act 2011*, the reference “Manx institution” is a reference to that term for the purposes of section 15(1) of the 1989 Act;
  - (e) in the 1989 Act, “trustee” includes “charity trustee” within the meaning given in section 3(1);
- (2) Sections 27, 28, 29 and 30 apply to the accounting year of a registered charity during which those sections commenced and any subsequent accounting year.

## **5 Transitional provision in relation to charities registered under the old law**

If the Attorney General is satisfied at any time before 1 April 2020 that any of the circumstances in section 15(1) apply in relation to a charity registered under the old law, that charity is not treated as a registered charity for the purposes of the Act.

## **6 Savings**

- (1) All documents filed in the General Registry or the Central Registry under any provision in the old law shall be treated as if they were filed under the corresponding provision of the Act and section 54 shall apply to them as it does to documents filed under the Act.
- (2) Any reference to any provision of the old law in any document relating to a charity established before the commencement of the Act shall be treated as a reference to the corresponding provision of the Act.

**MADE 24 SEPTEMBER 2019**

**JOHN L M QUINN**  
*Attorney General*

*EXPLANATORY NOTE**(This note is not part of the Order)*

This Order brings into operation certain provisions of the Charities Registration and Regulation Act 2019 on 1 October 2019, namely the widening of the definition of “charity” and “charitable purpose”; automatic disqualification for acting as a charity trustee; creation of the register of charity mergers; creation of the Charities Tribunal (in order that it can be established prior to 1 April 2020); power to make regulations; matters concerning the submission of incomplete documents or ones including false and misleading statements; supplementary provisions concerning offences; records keeping; publication of approved forms; disclosure to or by the Attorney General and some consequential amendments to other Acts.

The remaining provisions of the Act are brought into operation on 1 April 2020.