



CVS Rochdale **Policy Briefing**

Changing the way exempt charities are regulated as charities

Charities that are not allowed to register with the Charity Commission are exempt charities – and sit outside of the Charity Commission's jurisdiction.

The Charities Act 2006 will change the way particular groups of exempt charities are regulated, taking effect from 1 June 2010. These groups include certain universities, colleges, student unions, museums, galleries and church institutions.

The Charities Act 2006 improves charity law oversight of exempt charities in one of two ways:

first – where possible, it has identified principal regulators for groups of exempt charities where a regulatory relationship already exists. The role of principal regulator is to ensure charity trustees comply with charity law

second – where it has not been possible to identify a suitable principal regulator, groups of exempt charities will become excepted charities (larger charities – annual income above £100,000 – will need to register with the Charity Commission)

Regulators for exempt charities

Groups of charities that will remain exempt and the proposed principal regulators to be appointed for them on 1 June 2010 are:

universities in England – Higher Education Funding Council for England (HEFCE)
certain national museums and galleries – Secretary of State for Culture, Media and Sport
Royal Botanic Gardens, Kew – Secretary of State for Environment, Food and Rural Affairs

Excepted charities

The following exempt charities will become excepted charities on 1 June 2010: universities in Wales, student unions in England and Wales, colleges of the universities of Oxford, Cambridge and Durham, Eton and Winchester Colleges, the Church Commissioners and institutions administered by them the representative body of the Welsh church and the property it administers

If their gross annual income exceeds £100,000 they will be required to register with the Charity Commission.

(Source: Cabinet Office June 10)