



Declaration

CSD-1348B

Charities Act 1993 as amended by the Charities Act 2006

Declaration on behalf of the Trustees of a small unincorporated charity who have passed a resolution to transfer the property of their charity to another charity or charities under section 74

Notes to the form

The information provided in this form will help us to consider whether we have an objection to the trustees' resolution. Please ensure that it is completed accurately because the trustees remain responsible for the decisions they have made after the charity's property has been transferred and we may need to make enquiries about any action they have taken.

Warning to signatories: It is an offence to knowingly or recklessly provide false information to the Charity Commission. If in doubt about completing this form, you should seek our advice.

Before completing this form you should read our guidance note: **Transfer of property for small charities: How smaller non-company charities can transfer their assets to other charities (CSD 1348A1).**

In this form **trustees** means charity trustees. You are a charity trustee if you are:

- a member of the committee that is responsible for running a charitable group such as a community association or a parent teacher association.
- the trustee of a charitable trust (charitable trusts are usually created by a formal legal document, such as a declaration of trust or someone's will).

Permanent endowment means assets (for example land, buildings, investments, or cash) that may not be spent by the trustees as if they were income.

How this form should be signed?

This form can be signed by:

- (a) one of the trustees; or
- (b) some other person having full knowledge of the facts, such the clerk or secretary to the trustees, who signs on the trustees' behalf.

The person who signs the form should indicate in what capacity they sign.

Section 1

Charity Details

Charity registration number (if registered) or Charity Commission reference (if not registered)

Charity name

Place (if applicable)

County (if applicable)

Section 2

Trustee's certification

I CERTIFY as follows:

- (a) The following resolution was passed by a majority of not less than two-thirds of the trustees who voted on it at a properly constituted meeting of the trustees/in a postal ballot allowed by the charity's governing document*:

Please enter the resolution the trustees have passed, you can use a separate sheet if necessary. If the property is to be transferred to more than one charity the resolution must say how it is to be divided.

Date resolution was passed.

Section 2

Certification - continued

- (b) The trustees are satisfied that they have been properly appointed in accordance with the governing document of the charity.
- (c) The gross income of the charity in its last full accounting period was not more than £10,000.
- (d) The charity does not hold land that is held upon trusts that require it to be used for any or all of the purposes of a charity.
- (e) The charity is not a company or other type of body corporate.
- (f) The trustees are satisfied that:

**Delete as applicable*

(i) it is expedient in the interests of furthering the purposes for which the property is held for it to be transferred to another charity/ies* in accordance with the resolution; and

†The second option applies if the charity has permanent endowment

(ii) the purposes of any charity receiving the property under the resolution are/wide enough to include the purposes/are substantially similar to the purposes/of the charity named above*†.

(g) The trustees passed the resolution for the following reasons:

Use a separate sheet if necessary

Certificate signed by:

Name of signatory

Capacity

Signed

Date

Section 3

For Charity Commission use only

The Charity Commission has no objection to this resolution, which will come into effect on the date shown.

Signed

Date

