



House of Commons

Thursday 7 January 2016

PUBLIC BILL COMMITTEE PROCEEDINGS

CHARITIES (PROTECTION AND SOCIAL INVESTMENT) BILL [*LORDS*]

[*FIFTH AND SIXTH SITTINGS*]

NEW CLAUSES

Mr Rob Wilson

Agreed to NC7

To move the following Clause—

“Reserve powers to control fund-raising

- (1) The Charities Act 1992 is amended as follows.
- (2) In Part 2, after section 64A (reserve power to control fund-raising by charitable institutions) insert—

“64B Reserve power in relation to fund-raising regulators

- (1) Regulations under section 64A may, in particular, impose on charitable institutions requirements to do any of the following—
 - (a) to comply with requirements imposed by a regulator;
 - (b) to have regard to guidance issued by a regulator;
 - (c) to be registered with a regulator for the purpose of its regulation of charity fund-raising.
- (2) “Regulator” means a body specified in the regulations as a regulator for the purposes of this section.
- (3) A body may be specified as a regulator for the purposes of this section only if the regulation of charity fund-raising appears to the Minister to be a principal function of the body.
- (4) A body maintained out of money provided by Parliament may not be specified as a regulator (and this section does not confer power by regulations to establish a body to act as regulator).”
- (3) In Part 2, after section 64B insert—

“64C Reserve power to confer additional powers on Charity Commission

- (1) In the case of charity fund-raising which—

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- (a) is carried on by a charity, a person managing a charity or a person or company connected with a charity, or
 - (b) involves soliciting or otherwise procuring funds for the benefit of a charity or a company connected with a charity, or for charitable purposes,
- regulations under section 64A may, in particular, make provision conferring functions on the Charity Commission, including provision applying or reproducing, with or without modification, any provision of the Charities Act 2011.
- (2) The regulations may provide for a power that is exercisable by the Commission by virtue of the regulations to be exercisable by a person appointed by the Commission for the purpose.”
 - (4) In section 64A(2) after “this section” insert “and sections 64B and 64C”.
 - (5) In section 77(4) (regulations and orders) at the end insert “and, in the case of regulations made by virtue of section 64B or 64C, shall in particular consult the Charity Commission.””
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Geoffrey Clifton-Brown

Not selected **NC1**

To move the following Clause—

“Assessment of harm by charities

- (1) The Secretary of State shall make regulations obliging trustees to identify and assess risks of harm to beneficiaries and the public when carrying out their charitable purpose, together with actions to be taken to manage and minimise risks.
 - (2) The regulations will include provision that charities with a turnover of excess of £1 million are required to publish assessments of harm relating to the charity’s purpose as set out in subsection (1).
 - (3) The regulations shall provide that charities specified in subsection (2) publish their assessments of harm relating to their purpose in their annual reports.
 - (4) Regulations under this section must be made by statutory instrument.”
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Anna Turley
 Louise Haigh
 Conor McGinn
 Peter Kyle
 Jo Stevens
 Wes Streeting

Withdrawn **NC2**

To move the following Clause—

“Power to make representations

- (1) A charity may undertake political campaigning or political activity in the context of supporting the delivery of its charitable purposes.

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- (2) A charity may campaign to ensure support for, or to oppose, a change in the law, policy or decisions of central government, local authorities or other public bodies.”
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Anna Turley
Louise Haigh
Conor McGinn
Peter Kyle
Jo Stevens
Wes Streeting

Withdrawn NC3

To move the following Clause—

“Independent schools’ facilities: public benefit

In section 4 of the Charities Act 2011 (the public benefit requirement), after subsection (4) insert—

- “(5) Independent schools which are charities must engage actively with local communities and state schools with a view to sharing resources and facilities.
- (6) The Charity Commission must publish guidance setting out the minimum that independent schools which are charities must do to comply with the duty in subsection (5).”
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Anna Turley
Louise Haigh
Conor McGinn
Peter Kyle
Jo Stevens
Wes Streeting

Not called NC4

To move the following Clause—

“Independent schools’ sports facilities: public benefit

In section 4 of the Charities Act 2011 (the public benefit requirement), after subsection (4) insert—

- “(5) Independent schools which are charities must engage fully with local communities and state schools with a view to sharing sports facilities and coaching expertise.
- (6) The Charity Commission must publish guidance setting out the minimum that independent schools which are charities must do to comply with the duty in subsection (5).”
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Charities (Protection and Social Investment) Bill [Lords], continued

Anna Turley
Louise Haigh
Conor McGinn
Peter Kyle
Jo Stevens
Wes Streeting

Not called NC5

To move the following Clause—

“Independent schools’ music and arts facilities: public benefit

In section 4 of the Charities Act 2011 (the public benefit requirement), after subsection (4) insert—

- “(5) Independent schools which are charities must engage fully with local communities and state schools with a view to sharing facilities for music, drama and arts.
- (6) The Charity Commission must publish guidance setting out the minimum that independent schools which are charities must do to comply with the duty in subsection (5).”
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Anna Turley
Louise Haigh
Conor McGinn
Peter Kyle
Jo Stevens
Wes Streeting

Not called NC6

To move the following Clause—

“Independent schools’ careers advice: public benefit

In section 4 of the Charities Act 2011 (the public benefit requirement), after subsection (4) insert—

- “(5) Independent schools which are charities must engage fully with local communities and state schools with a view to careers advice, work experience and further education admissions advice.
- (6) The Charity Commission must publish guidance setting out the minimum that independent schools which are charities must do to comply with the duty in subsection (5).”

Bill, as amended, to be reported.
