

IMPORTANT INFORMATION ABOUT YOUR APPLICATION(S) FOR REGISTRATION

New trustee declaration form

We are contacting you about some important changes to the law which affect the application(s) for registration you are currently preparing to submit.

Because of these changes we have updated the trustee declaration form (which must be completed as part of each new application for registration). This is available on our website via the following link:

<https://www.gov.uk/government/publications/confirmation-of-charity-trustee-eligibility?>

We have also updated our automatically populated trustee declaration. This can be accessed within the trustee section of the application service, after all trustee details have been input. From **1 October 2018** we will **only accept the updated trustee declaration form**. Earlier versions of the form will no longer be accepted.

Any applications for registration received on or after 1 October 2018 which do not use the updated form will be returned to you as incomplete. You will then be required to complete and submit a brand new application for registration, attaching an updated and complete trustee declaration form.

Those applications already submitted to us before 1 October 2018 will not need to provide a new trustee declaration form, unless the form provided to us has not been completed correctly or changes have been made to the trustee body.

Automatic disqualification – guidance for charities

On 1 August 2018 the law changed to extend the scope of who will be automatically disqualified from being a trustee or holding some charity senior manager positions (chief executives and finance directors - and those in equivalent roles). New reasons for disqualification include being in contempt of court, being named under particular anti-terrorism legislation or being on the sex offenders register.

More information about the enhanced rules is available via the following link:

<https://www.gov.uk/guidance/automatic-disqualification-rule-changes-guidance-for-charities#what-your-charity-needs-to-do>

Being disqualified means that a person can't take on, or stay in, a charity trustee position or senior manager position affected by these rules - even on an interim basis, unless the Charity Commission has removed (or "waived") the disqualification.

It is important that individuals who hold, or who are planning to hold, the roles affected by these changes check carefully whether they are disqualified – and get advice if they are in any doubt.

It is normally an offence to act whilst disqualified. Conviction may lead to a fine, imprisonment or both. If an individual acts whilst disqualified, they may also have to repay any money received from the charity during this period.

Automatic disqualification – waivers

A disqualified person can, in most circumstances, apply to the Charity Commission to waive their disqualification. They can do this at any time after they become disqualified. If given, a waiver will

bring their disqualification to an end in respect of the charities named in the waiver. More information about how to seek a waiver is available via the link (above).

[Automatic disqualification - waiver decision process and appeals](#)

Details about how the Charity Commission assesses waiver applications are available via the following link:

https://www.gov.uk/government/publications/how-the-charity-commission-assesses-waiver-applications-and-makes-a-decision?utm_source=c220b6f1-deb2-4625-82d8-4dfadc0cbe0a&utm_medium=email&utm_campaign=govuk-notifications&utm_content=immediate

Thank you for your attention.

The Registration team