

## ROUGH GUIDE TO FORMING A CHARITY



- 1) Get together a body of trustees from people interested in the work of the organisation or whose specialism is connected to the work of the charity.
- 2) Contact the Charity Commission for a copy of their charity registration pack by phoning the Charity Commission at Contact Centre, Tel: 0845 300 0218, Minicom 0845 300 0219, or from their website, [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk) – registering a charity section.
- 3) Decide which type of charity you want to be (either a trust, unincorporated association or a charitable company limited by guarantee).
- 4) Make sure that all potential trustees understand their responsibilities. Charity Commission booklet CC3 The Essential Trustee: What You Need to Know, included in the registration pack sets these out in full and should be read by all trustees.
- 5) Draw up a governing document, (whichever type of charity you have chosen to be will determine which type of governing document to use from either a trust deed, constitution or memorandum and articles of association). Use an approved model as a basis if possible. It will save you a lot of work and, provided that you make no major changes, will also ease the path through registration. A selection of approved models, including the Charity Commission's own models, is available from the Charities Information Bureau Tel: 01380 729279.
- 6) Formally adopt the governing document at a General or Special meeting of the organisation by the Chair signing it and recording the adoption in the minutes.  
  
**NB:** If you are wanting to make major changes to a model document or to draw up something completely new, get the final draft checked by someone with knowledge of what is acceptable to the Charity Commission before adopting the document. If the Charity Commission do not like your document when considering your registration application, any changes you make will have to be done via a second formal adoption process.
- 7) If you decide to opt for being a charitable company limited by guarantee:
  - a) fill in the Companies House Form 10 & 12 and send together with a copy of the Memorandum and Articles of Association and the relevant fee to Companies House, Crown Way, Cardiff CF4 3UZ, Tel: 0870 3333636, or [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)
  - b) wait for receipt of the certificate of incorporation from Companies House and the company number.

- 8) Complete APP 1 and DEC 1 included in the registration pack.
  - 9) Send to the address below the following:-
    - APP1
    - DEC 1
    - 2 copies of the governing document
    - A copy of the minutes of the meeting at which the governing document was adopted
    - A copy of any financial accounts for up to the last 3 years of the organisation to:
- Registration Division  
Charity Commission  
Woodfield House  
Tangier  
Taunton  
TA1 4BL
- 10) You should receive an initial response within 15 working days of receipt of your application by the Charity Commission and eventually a final letter advising you that details of your organisation have been entered on the Central Register of Charities and advising you of your registration number. The commission aims to decide on application for registration in an average of 87 days.

If you need help with registration please contact the Charities Information Bureau.

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