

CHARITIES (MISLEADING NAMES) REGULATIONS 1992

Introduction

Under section 4(1) of the Charities Act 1992 the Charity Commissioners have been armed with the power to give a direction requiring the name of the charity to be changed, within such period as is specified in the direction, to such other name as the charity trustees may determine with the approval of the Commissioners. The power is exercisable in relation to a charity (not being an exempt charity) in a number of circumstances. One of these is specified in section 4(2)(c). This provides that the power is exercisable if:

"(c) the name of the charity includes any word or expression for the time being specified in regulations made by the Secretary of State and the inclusion in its name of that word or expression is in the opinion of the Commissioners likely to mislead the public in any respect as to the status of that charity"

The Secretary of State has now made regulations on this point, the first set of regulations made under the Charities Act 1992. Section 4 came into force on 1 September 1992.

Regulations

The relevant regulations (SI 1992 No. 1901) are entitled the Charities (Misleading Names) Regulations 1992. They were made on 28 July 1992 and laid before Parliament on 7 August 1992. They also came into force on 1 September 1992: see regulation 1 (which also provides that the Regulations may be cited as the Charities (Misleading Names) Regulations 1992).

Regulation 2 simply provides that:

"2. The words and expressions set out in the Schedule to the Regulations, together (where appropriate) with the plural and possessive forms of those words and expressions and any abbreviation of them are hereby specified for the purposes of section 4(2)(c) of the Charities Act 1992."

In other words the Schedule sets out all the "specified" words and expressions which the Commissioners may in particular circumstances find to be likely to mislead the public in any respect as to the status of the charity. As will be seen from the list the words and expressions all have the ring of respectability and, in some cases, of grandiloquence.

The Specified Words and Expressions

The following words and expressions (all carrying somewhat prestigious connotations) are set out in the Schedule:

Assurance	King
Authority	National
Bank	Nationwide
Benevolent	Northern Ireland
British	Northern Irish
Building Society	Official
Church	Polytechnic
Co-operative	Prince
England	Princess
English	Queen
Europe	Registered
European	Royal
Friendly Society	Royale
Grant-Maintained	Royalty
Great Britain	School
Great British	Scotland
Her Majesty	Scottish
His Majesty	Trade Union
Industrial & Provident Society	United Kingdom
International	University
Ireland	Wales
Irish	Welsh
	Windsor