

Connected person certificate under the Charities Act 2011

A “connected person” is defined by Section 118 of the 2011 Act.

Section 117(2) of the Charities Act 2011 (**2011 Act**) requires that if a non-exempt charity disposes of land to a “connected person” (or to a trustee for or nominee of, a connected person) then the disposal must be authorised by the Charity Commission.

Obtaining the Charity Commission’s authority to **acquire** land from a “connected person” is recommended by the Charity Commission to avoid the risk of the acquisition being set aside due to the conflict of interest and this is a policy adopted by TMCP.

I/We [INSERT NAME(S)] hereby confirm that, I/we are not a connected person (as defined by s.118 of the 2011 Act) or a trustee for or nominee of, such a connected person in relation to:

(1) the Trustees for Methodist Church Purposes being a charitable body corporate established by the Methodist Church Act 1939 and registered charity number 1136358; or to

(2)¹ [NAME OF FIRST MANAGING TRUSTEE] and [NAME OF SECOND MANAGING TRUSTEE] and others being the members (or such of the members as have attained full age) of the [Church Council] OR [Circuit Meeting] OR [OTHER MANAGING TRUSTEE BODY] of [NAME OF MANAGING TRUSTEE BODY] OR [[REGISTERED CHARITY NAME] (Charity Registered Number [NUMBER])] (if the managing trustee body is itself a registered charity).

..... Date:
Duly signed on behalf of [NAME]

..... Date:
Duly signed on behalf of [NAME]

You should ask your solicitor to explain the definition of a “connected person” in s.118 of the 2011 Act to you in full before signing this statement.

For information purposes only, s.118 of the 2011 Act states that a connected person in relation to a charity is any person that, at the time of the disposition or at the time of the contract for the disposition is:

- (a) a charity trustee or trustee for the charity;*
- (b) a person who is the donor of any land to the charity (whether the gift was made on or after the establishment of the charity);*
- (c) a child, parent, grandchild, grandparent, brother or sister of any such trustee or donor;*
- (d) an officer, agent or employee of the charity;*
- (e) the spouse or civil partner of any person falling within any of paragraphs (a) to (d);*
- (f) a person carrying on business in partnership with any person falling within any of paragraphs (a) to (e) above;*

¹ Please insert description of the Managing Trustees from the contract, lease, AST or other transactional document

(g) an institution which is controlled:-

- (i) by any person falling within any of paragraphs (a) to (f); or*
- (ii) by two or more such persons taken together; or*

(h) a body corporate in which:-

- (i) any connected person falling within any of paragraphs (a) to (g) has a substantial interest; or*
- (ii) two or more such persons, taken together, have a substantial interest.*