

PCC CHARITY STATUS

The PCC Powers Measure 1956 and the Charity Act 1960

The Charity Commission has maintained a register of charities in England and Wales since the Charities Act 1960

However, since Parochial Church Councils (PCC'S) are a legal entity incorporated under the 1956 PCC Powers Measure; all PCCs have charitable status, but are excepted by Statutory Instrument from the need to register as charities. The reason for this is that registration, under the 1960 Act, conferred a status; and as PCCs already had status under the 1956 Act, and were known to be charitable, there was no need for them to register. This is why PCCs never had a Charity Number.

If someone insists, on a grant application form, for instance, that you must provide a Charity Number they will often accept your Inland Revenue Charity reference number. This is the number that you use for Gift Aid claims. If that is not acceptable, the following should be quoted:

Church of England Parochial Church Councils (PCCs) are corporate bodies under the 1956 PCC Powers Measure. They are excepted from the need to register as individual charities by Statutory Instrument 1996 No 180. "The Charities (Exception from Registration) Regulations 1996" – as amended by Statutory Instrument 2002 No 1598 – "The Charities (Exception from Registration) (Amendment) Regulations 2002". This provision will continue until it is a parish's turn to be individually registered under the 2006 Charity Act

The Charity Act 2006

The 2006 Charity Act is "a major piece of charity legislation, reflecting both the changes in society and the charity sector over the last decade" (Charity Commissioners website <http://www.charity-commission.gov.uk/spr/ca2006prov.asp>). As this statement suggests it makes many changes to charity legislation, one of which is lifting the exemption to registration for PCCs. However, the Church of England is being given a transition period during which parishes with the largest income will be required to register first. This process is being managed by the diocese who will tell parishes when they should register and will provide training and clear guidelines as to how it should be done.

Currently, exception from registration has been withdrawn from parishes with 2007 or subsequent years income in excess of £100,000. The current timescale is that it will be withdrawn completely from all parishes in 2012. **It is essential that all parishes heed the advice given. There is no benefit to be had by trying to go it alone or shortcut the system**

In late 2007 Terry Gray (tgray@chelmsford.anglican.org) was asked to take on the additional role of Diocesan Registration Coordinator.

Specific guidelines have been agreed between the Church Commissioners and the Charity Commissioners. **These instructions must be followed!** Copies of these guidelines and registration packs are available free of charge to Chelmsford Parishes. To obtain one please contact Terry at the Diocesan Office.

Terry Gray
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