18. Control and regulation of charitable trusts

This chapter discusses the regulatory system of charitable trusts. In the case of private trusts, the primary task of supervising the trustees and ensuring that they do not abuse their position falls to the beneficiaries. Charitable trusts do not have beneficiaries as such since, by their very nature, they are purpose trusts and an exception to the beneficiary principle, although there may obviously be persons, for example, donors, who are interested in seeing that assets held on trust for charity are properly applied. Historically, charities were supervised and controlled by the Attorney-General, acting on behalf of the Crown. However, this function has largely been replaced by a regulatory system with a statutory footing. The law was revised by the Charities Acts 1993 and 2006, and is further revised by the consolidating Charities Act 2011.
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