

UK charities and coronavirus: updates to Charity Commission guidance

19 OCTOBER 2020

CATEGORY:
[ARTICLE](#)



The Charity Commission has made various changes to its Covid-19 guidance for charities and trustees.

Following the extensions of some of the provisions in the Corporate Insolvency and Governance Act 2020, updates have been made to the sections '[annual general meetings and other meetings](#)' and '[holding meetings online](#)'. For charitable companies and charitable incorporated organisations (CIOs), AGMs and other members' meetings can now be held online, even if the governing document specifically requires them to be held in person, until **30 December** (although it is possible for this period to be extended again if needed). Members can be required to vote electronically or by post, and they do not have the right to participate in meetings other than to vote. The guidance notes that a decision to rely on these provisions to hold a meeting should be recorded in meeting minutes and all other requirements should still be met.

It should be noted that these provisions do not cover trustee/director meetings. If the charity's governing document does not provide for those meetings to be held electronically any decision to do so should be recorded properly. Furthermore, the extensions of the provisions of the Act did not include the ability to postpone AGMs beyond **30 September 2020**. If holding an AGM as a virtual meeting is not a viable solution, the guidance notes that the decision to postpone or cancel should be recorded to demonstrate good governance and any process set out in the governing document should be followed.

The guidance also now includes an additional section on the rule of six. In particular, the guidance helpfully clarifies that trustee and members' meetings of more than six people can be held where the meetings are necessary to provide charitable services, which is one of the exceptions to the rules. We would note that charities should still proceed with caution if organising in person meetings, taking into account any local restrictions and concerns individuals may have.

To read more about how we can help please [click here](#).

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