



Community & Voluntary Service

Mid and North Bedfordshire

How to Develop Your Charity's Objects

Objects (or Purposes Clause)

The goal, aims or ends for which any charity exists are set out in what is called the Objects or Purposes clause in its constitution. They are different from its Powers, which are the means the charity may use to achieve those ends.

The Objects Clause is the foundation stone of the charity, which can only act lawfully within these limits. Above all, the objects must fall exclusively within one or more of the accepted charitable categories:

- **The relief of poverty and distress**, which includes helping the sick and the elderly;
- **The advancement of education;**
- **The advancement of religion;**
- Other **charitable purposes for the 'benefit of the community'**, which over the years has been defined to include the provision or recreational facilities open to the public, the provision of land and buildings for public use, the promotion of racial harmony, the preservation or improvement of the environment and a range of other purposes. However, in all circumstance the charity must benefit a significant section of the community. (see examples below of other accepted objects)

When setting up any organisation it is important to ensure the objects as set out in the governing document are clear and are suitable for the organisation's planned activities and for its development well into the future. This is especially important for charities, because:

- if their objects are not properly worded considerable time is likely be added to the charity registration process;
- they may need Charity Commission consent to change their objects in future, and the consent may not be forthcoming

For a non-charitable organisation it is somewhat less critical if the objects clause is not quite right. Provided the governing document contains an amendment clause which allows for the objects to be amended, there is generally no need for external consent, although under some funding agreements the funder may have to give consent.

Narrowly vs. Widely Defined Objects – The Pro's & Con's

If a charity's objects are narrowly defined the founders can ensure the charity will not get sidetracked into other activities or into working with other beneficiaries. But it is also very limiting. Unless the governing document contains power to change the objects or the Charity Commission allows a change-which it will do only if there is good reason the charity will not be able to broaden its activities or client group.

Geographical limitations can cause particular problems, especially where only residents can be beneficiaries. Defining the area of benefit very narrowly may reflect the intentions of the charity's founders, but the governing body will always have to ensure that services and activities benefit only residents of that area. Flexibility can be achieved by adding 'and neighbouring districts' to the area, and by defining beneficiaries as 'persons who live or work' in the area, or even those who 'live or work or have a connection with' the area.

Widely defined objects allow the charity flexibility. Despite the wide objects, the charity does not have to be all things to all people; it is completely free to make its own policy decisions limiting its activities to specific types of work, beneficiary groups or geographic areas. But it can at any time alter its policies if it wants to take on new activities or start working with a new client group.

With widely defined objects, however, the charity may end up doing something completely different from what the founders intended, or it may be difficult to set priorities.

One solution is to define the objects relatively narrowly, but to add an additional wide object of 'any other charitable purpose'. This makes clear the intentions and priorities of the founders, without limiting the charity's future development. However the Charity Commission often insists on certainty (explicitness) of objects, and may refuse to allow a catch-all tacked onto a defined object.

There is no right level of specificity. The people involved in each potential charity must define the limits for themselves, in consultation with a charity advisor or solicitor.

During the process of applying for registration as a charity, the Charity Commission may suggest narrowing wide objects to reflect more closely the founders' plans, or widening narrow objects to allow for future development. It is not always necessary to make these changes. Provided all the objects are clear and are charitable in law, the Charity Commission cannot insist that they be changed.

The boundaries of what is and is not charitable are inconsistent and constantly changing. Specialist advice is needed for any organisation whose objects are not clearly within the recognised categories.

Tips

- It is usually advisable to conclude the objects clause with a sub-clause to the effect of 'to promote such other charitable purposes as may from time to time be determined'.
- When drafting the objects descriptive adjectives should be linked by the word 'and' as opposed to 'or'.
- It often makes sense to have catch-all objects, and then, without diminishing their generality, to particularise the area in which the charity expects, initially to be active in.
- The Charity Commission will. If a plausible case can be made, accept objects such as 'to relieve poverty, advance education, promote religion & to do such other things beneficial to the community as may be charitable under the laws of England and Wales' or, for a strictly local charity, 'for the general benefit of the inhabitants of [The specified area to be covered]'.
- In drafting the objects, it is vital to define them so that if circumstances change, or the organisation evolves away from original expectations, its new activities will still be within its bounds.
- It is helpful for trustees to understand that it is entirely up to them to decide how the charity operates within its objects. They can ignore 90% of their scope & concentrate all activities within the other 10%. No one can attack them on legal grounds.
- Do not confuse the Objects (the definition of what the organisation exists to do) with the Powers (the means by which the objects can be achieved – see section below on the Powers clause)

Charity Commission – Example Objects

Animal Charities

Example objects:

- "For the benefit of the public to relieve the suffering of animals in need of care and attention and, in particular, to provide and maintain rescue homes or other facilities for the reception, care and treatment of such animals."
- "To promote humane behaviour towards animals by providing appropriate care, protection, treatment and security for animals which are in need of care and attention by reason of sickness, maltreatment, poor circumstances or ill usage and to educate the public in matters pertaining to animal welfare in general and the prevention of cruelty and suffering among animals."

Activities a charity for these purposes might be carrying out:

Offering shelter or sanctuary for animals which are in need of medical attention; providing medical treatment for animals; actively seeking new homes for "rescued" animals.

NB: it is not charitable to offer sanctuary to fit and healthy animals.

Carers

Example objects:

NB: There is an approved standard governing document for the Crossroads Care Attendant Scheme.

- "To relieve people who are elderly or disabled resident in [parish/place] by the provisions of carers and by the provision of support and training to such carers."
- "The relief of elderly people and those in poor health resident in [parish/place] (not being resident in an institution or nursing home as defined by the National Assistance Act 1948 or the Chronically Sick and Disabled Act 1970) by the provision of a sitting service to relieve those who are caring for or nursing them."
- "To relieve financial hardship and sickness among persons who are caring for or nursing a person with a physical or mental disability in any place other than an Institution or Nursing Home as defined by the National Assistance Act 1948 and Chronically Sick and Disabled Persons Act 1970, and the relief of people who are chronically sick or disabled by the provision of training and advice for those responsible for their care."
- "To preserve and protect the health of those caring for people with physical, mental or sensory impairment within the family or home by offering a respite service through the provision of community based

care attendants and, at the discretion of the [Management Committee/Trustees] and in exceptional circumstances, to provide such care attendants for disabled people living alone."

See also example objects for charities for the relief of sickness.

Activities a charity for these purposes might be carrying out:

Providing approved training for carers; grants to carers to enable them to "take a break"; replacement carers where the usual carer is absent.

Community Capacity Building

Example object:

- "to develop the capacity and skills of the members of the [socially and economically] [socially] disadvantaged community of [insert place] in such a way that they are better able to identify, and help meet, their needs and to participate more fully in society"

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [RR5 - The Promotion of Community Capacity Building](#)

Conciliation and Mediation

NB: The national body for Relate has prepared a standard governing document.

Example objects:

- "To provide, for the benefit of the public, assistance through conciliation for couples whose relationships appear to be breaking down, and where such relationships have already broken down, to advise and help in the settlement of differences or potential differences over associated matters such as custody and access to children, and financial matters."

See also example objects for charities for the promotion of crime prevention, the law and police.

Activities a charity for these purposes might be carrying out:

Counselling (by trained counsellors), advice and information on legal rights or obligations; signposting to other forms of help; providing a safe "neutral" place for couples to talk to each other with a view to reconciliation or agreement.

Conservation of the Environment

Example objects:

- "to promote for the benefit of the public the conservation protection and improvement of the physical and natural environment [by promoting biological diversity]".
- It is also acceptable for environmental charities to have an additional object of advancing the education of the public where appropriate.
- "To advance the education of the public in the conservation, protection and improvement of the physical and natural environment"

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [RR9 - Preservation and Conservation](#)

Crime Prevention, the Law and the Police (Promotion of)

Example objects.

- "To facilitate the administration of the law by the promotion of arbitration, mediation and conciliation services to settle civil disputes in [stipulated area]".
- "To promote for the benefit of the public in the [insert place] and its neighbourhood with a view to the preservation of public order, the provision of services for mediation and conciliation between people, organisations and groups who are involved in disputes or interpersonal conflicts where that dispute or conflict results from or may lead to acts of nuisance, vandalism, racial abuse or breach of the peace."
- "To promote for the benefit of the public in [insert place] the provision of services for mediation and conciliation between victims of crime and offenders, with a view to the preservation of public order, and for the preservation and protection of the well-being of such victims and the rehabilitation of such offenders."
- "To promote, for the benefit of the public, the efficiency of the police in [insert area] and to promote good citizenship and greater public participation in the prevention and solution of crime in the area."
- "To promote for the benefit of the public in [insert specified Division of named County Police Constabulary], in partnership with the police, the protection of people and property from, and the prevention of, criminal acts."

Activities a charity for these purposes might be carrying out:

Educational programmes in the community; promoting Neighbourhood watch schemes; liaising with the Police on addressing the causes of crime in the

area; providing a conciliation service; providing advice and support to victims and offenders.

Disasters

Example objects:

- The relief of financial need and suffering among victims of natural or other kinds of disaster in the form of money (or other means deemed suitable) for persons, bodies, organisations and/or countries affected [including the provision of medical aid].
- The relief and assistance of people in any part of the world who are the victims of war or natural disaster, trouble, or catastrophe in particular by the supply of medical aid to such persons.

Activities a charity for these purposes might be carrying out:

Arranging for the purchase and delivery of aid to such areas; co-operating with others to get aid to the right place; identifying the real needs of those affected by disaster and ways of meeting those needs.

Education (Advancement of)

Example objects:

- To advance the education of the public in the subject of [insert subject to be studied]
- "To advance the education of the pupils at [the name of the school] by providing and assisting in the provision of facilities [not required to be provided by the local education authority] for education at the school."

Activities a charity for these purposes might be carrying out:

Providing or facilitating public education in the chosen subject (which must be one worthy of study and not be a vehicle to promote a single point of view), by lectures, research, publishing educational materials, hands-on training; providing extra facilities at schools, colleges etc, to allow the subject to be studied.

Elderly People

Example objects:

- "To relieve elderly people resident in [insert place] who are in need, by providing specially designed or adapted housing, and items, services or facilities calculated to relieve the needs of such persons."
- "To relieve financial hardship, sickness and poor health amongst elderly people ."

Activities a charity for these purposes might be carrying out:

Making adapted accommodation available to elderly people; making grants to elderly people to enable them to buy goods or services to help them overcome the debilities of old age.

Note: Extra facilities can be provided either in housing owned or managed by the charity or in the home of the elderly person.

Family Planning

NB: The Care Trust has prepared a standard governing document for an organisation wishing to apply for registration as a Pregnancy Crisis Centre.

Example objects:

- To educate young people in matters of sex and contraception and to develop amongst them a sense of responsibility in regard to sexual behaviour with the aim of preventing and mitigating of the suffering caused by unwanted pregnancy.
- (i) To preserve and protect the good health both mental and physical of parents, young people and children and to prevent the financial hardship, caused by unwanted conception; (ii) to educate the public in the field of procreation, contraception, and health with particular reference to personal responsibility in sexual relationships and to the consequences of population growth; (iii) to give medical advice and assistance in cases of involuntary sterility or of difficulties connected with the marriage relationship or sexual problems for which medical advice or treatment is appropriate.
- To promote education and research in the subject of fertility and pregnancy and the termination of pregnancy and into its effects on women, whether physical, medical, psychological or social; to provide advice treatment and assistance for women who are suffering from any physical or mental illness or distress as a result of fertility or infertility.

Activities a charity for these purposes might be carrying out:

Direct help: advice, education and guidance about and access to various types of contraception or fertility treatment;

Indirect: supporting academic research into the causes and effects of unwanted pregnancy or new methods of fertility treatment and publishing that research.

Financial Hardship (Relief of)

Example objects:

- "The relief of financial hardship among people living or working in [stipulated area] [by providing such persons with [goods/services] which they could not otherwise afford through lack of means].
- the relief of financial hardship, either generally or individually, of people living in [the area of benefit] by making grants of money for providing or paying for items services or facilities the relief of the sick-poor living in

[insert place] either generally or individually through the provision of grants, goods or services.

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [CC4 - Charities for the Relief of Financial Hardship](#)

Museum and/or Art Gallery (The Establishment and Maintenance of a)

Example objects:

- "to establish and maintain a museum and/or art gallery for the benefit of the public".
- "to promote art for the benefit of the public by the establishment and maintenance of a [museum] [art gallery]".
- "to advance education by the establishment and maintenance of a museum".
- "to advance education in the arts by the establishment and maintenance of an
- art museum or art gallery".

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [RR10 - Museums and Art Galleries](#)

Recreation (Recreational Charities Act 1958)

Example objects:

- To promote for the benefit of the inhabitants of [insert place] and the surrounding area the provision of facilities for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances or for the public at large in the interests of social welfare and with the object of improving the condition of life of the said inhabitants.
- "To provide or assist in the provision of facilities in the interests of social welfare for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age infirmity or disability, financial hardship or social circumstances with the object of improving their conditions of life."

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [RR4 - The Recreational Charities Act 1958](#)

Refugees / Those Seeking Asylum

Example objects:

- "To advance education and relieve financial hardship amongst those seeking asylum and those granted refugee status particularly by the provision of legal and other advice."
- 1) The relief of financial hardship amongst those granted refugee status and their dependants living (temporarily or permanently) in [Insert area] and the surrounding area.
2) To preserve and protect the physical and mental health of those granted refugee status and their dependants
3) To advance the education and training of those granted refugee status and their dependants in need thereof so as to advance them in life and assist them to adapt within a new community.
4) To advance the education of the public in general about the issues relating to refugees and those seeking asylum.
5) The provision of facilities for recreation or other leisure time occupation with the object of improving the conditions of life of those persons who have need of such facilities by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances.
- The relief of sickness and financial hardship amongst those seeking asylum in the United Kingdom or who are refugees, and who reside in [insert area of benefit].
- The relief of unemployment of those granted refugee status and those seeking asylum in the United Kingdom, and in particular [insert area of benefit], by the provision of vocational and skills training, advice and support

Activities a charity for these purposes might be carrying out:

Training in basic skills to help find work; general education including language skills; temporary accommodation; access to leisure facilities to facilitate integration and understanding within the wider community.

Regeneration (Urban or Rural)

Example objects:

(NB: you must select at least 3 from sub-clauses (a) – (m))

- "The promotion for the benefit of the public of urban or rural regeneration in areas of social and economic deprivation (and in particular in [specify area]) by all or any of the following means:
a) the relief of financial hardship:
b) the relief of unemployment:
c) the advancement of education, training or retraining, particularly among unemployed people, and providing unemployed people with work experience:

- d) the provision of financial assistance, technical assistance or business advice or consultancy in order to provide training and employment opportunities for unemployed people in cases of financial or other charitable need through help: (i) in setting up their own business, or (ii) to existing businesses:
- e) the creation of training and employment opportunities by the provision of workspace, buildings, and/or land for use on favourable terms:
- f) the provision of housing for those who are in conditions of need and the improvement of housing in the public sector or in charitable ownership provided that such power shall not extend to relieving any local authorities or other bodies of a statutory duty to provide or improve housing:
- g) the maintenance, improvement or provision of public amenities:
- h) the preservation of buildings or sites of historic or architectural importance:
- i) the provision of recreational facilities for the public at large or those who by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances, have need of such facilities:
- j) the protection or conservation of the environment:
- k) the provision of public health facilities and childcare:
- l) the promotion of public safety and prevention of crime:
- m) such other means as may from time to time be determined subject to the prior written consent of the Charity Commissioners for England and Wales."

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [RR2 - Promotion of Urban and Rural Regeneration](#)

Religion (Advancement of)

Example objects:

- To advance the [insert basis of faith] [faith] [religion] for the benefit of the public in accordance with [the statements of belief appearing in the schedule] [the following doctrines: ...]
- "The advancement of the [insert basis of faith] religion mainly, but not exclusively, by means of broadcasting [insert basis of faith] messages of an evangelistic and teaching nature."
- To advance the [insert basis of faith] religion in [insert area of benefit] for the benefit of the public through the holding of prayer meetings, lectures [public celebration of religious festivals] producing and/or distributing literature on [insert basis of faith] to enlighten others about the [insert basis of faith] religion.

Activities a charity for these purposes might be carrying out:

Providing services of worship; religious teaching; facilities or services to allow believers to practice their faith or follow its doctrines; producing or making

available literature explaining the doctrines involved and how to find out more about them. Distribution of sacred texts.

Sickness (Relief of)

Example objects:

- "The relief of sickness and the preservation of health among people residing permanently or temporarily in [specified area of benefit]."
- "To assist in the treatment and care of persons suffering from mental or physical illness of any description or in need of rehabilitation as a result of such illness, by the provision of facilities for work and recreation."
- 1) to promote and protect the physical and mental health of sufferers of [insert medical condition] in [insert area of benefit] through the provision of financial assistance, support, education and practical advice
(2) to advance the education of the general public in all areas relating to [insert medical condition]
- "To relieve sickness, poor health and old age amongst people living in [stipulated area] by providing a local broadcasting service for hospitals, residential homes and similar institutions."
- "to relieve sickness and to preserve the health of the patients of [name of surgery] at [place] by providing or assisting in the provision of equipment, facilities and services [[not normally provided by the statutory authorities] [ancillary to those provided by the doctors]]."
- "To preserve and protect the health of patients of the [description of medical practice] by providing and assisting in the provision of facilities, support services and equipment not normally provided by the statutory authorities. To advance the education of the public in health care by the provision of lectures, fora and by the publication of newsletters devoted to healthcare."

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [CC6 - Charities For The Relief of Sickness](#)

Sports Clubs (Community Amateur)

Example objects:

- "the promotion of community participation in healthy recreation in particular by the provision of facilities for the playing of [particular sports]"
- "the promotion of community participation in healthy recreation [for the benefit of the inhabitants of x] by the provision of facilities for playing [insert sport(s)]."

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [RR11 - Charitable Status and sport](#)

Transport (Community)

Example objects:

- "To provide transport facilities in [insert place] for people who have special need of such facilities because they are elderly, poor or disabled, people with young children or those living in isolated areas where there are no adequate public transport facilities."

Activities a charity for these purposes might be carrying out:

Operating a regular bus service using adapted vehicles between areas not otherwise served by public transport and local towns.

Unemployment (Relief of)

Example objects:

"The relief of unemployment for the benefit of the public in such ways as may be thought fit, including assistance to find employment."

Activities a charity for these purposes might be carrying out:

Please refer to the Charity Commission publication [RR3 - Charities for the Relief of Unemployment](#)

Powers

A constitution should clearly define the powers (or means) by which the objects can be promoted. A 'Power' is discretion and need not be exercised. As with the objects, it usually pays to give your trustees maximum room for action i.e. the widest powers & discretions relating to, for example, how the organisation is managed, how it may fundraise and apply its assets and how to invest any surplus assets. Equally, the trustees need constitutional authority to delegate their powers.

Other powers it is usually wise to include are those of:

- lending and borrowing;
- employing;
- insuring (including standard provisions for trustee's indemnity);
- acquiring and occupying property;
- altering the constitution;
- trading;
- setting up related companies & charities; &
- winding up the charity.

The Powers under a typical unincorporated charities constitution usually look some thing like this:

In furtherance of the objects but not otherwise the Executive Committee may exercise the following powers:

- (i) power to raise funds and to invite and receive contributions provided that in raising funds the Executive Committee shall not undertake any substantial permanent trading activities and shall conform to any relevant requirements of the law;*
- (ii) power to buy, take on lease or in exchange any property necessary for the achievement of the objects and to maintain and equip if for use;*
- (iii) power subject to any consents required by law to sell, lease or dispose of all or any part of the property of the Charity;*
- (iv) power subject to any consents required by law to borrow money and to charge all or any part of the property of the Charity with repayment of the money so borrowed.*
- (v) power to employ such staff (who shall not be members of the Executive Committee) as are necessary for the proper pursuit of the objects and to make all reasonable and necessary provision for the payment of pensions and superannuation for staff and their dependants;*

- (vi) *power to co-operate with other charities, voluntary bodies and statutory authorities operating in furtherance of the objects or of similar charitable purposes and to exchange information and advice with them;*
- (vii) *power to establish or support any charitable trusts, associations or institutions formed for all or any of the objects;*
- (viii) *power to appoint and constitute such advisory committees as the Executive Committee may think fit;*
- (ix) *power to do all such other lawful things as are necessary for the achievement of the objects.*

Further Help

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Charity Commission - www.charity-commission.gov.uk

Reference Books:

- **Charitable Status – A Practical Handbook** – Andrew Philips – Directory of Social Change – www.dsc.org.uk - £12.95

CVS – Mid & North Beds has the aforementioned book in our reference library & this can be loaned to CVS members

See Other Related CVS – Mid & North Beds Information Sheets:

- **How to Become a Registered Charity**
- **How to Develop a Constitution**
- **The Charities Act 2006**

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