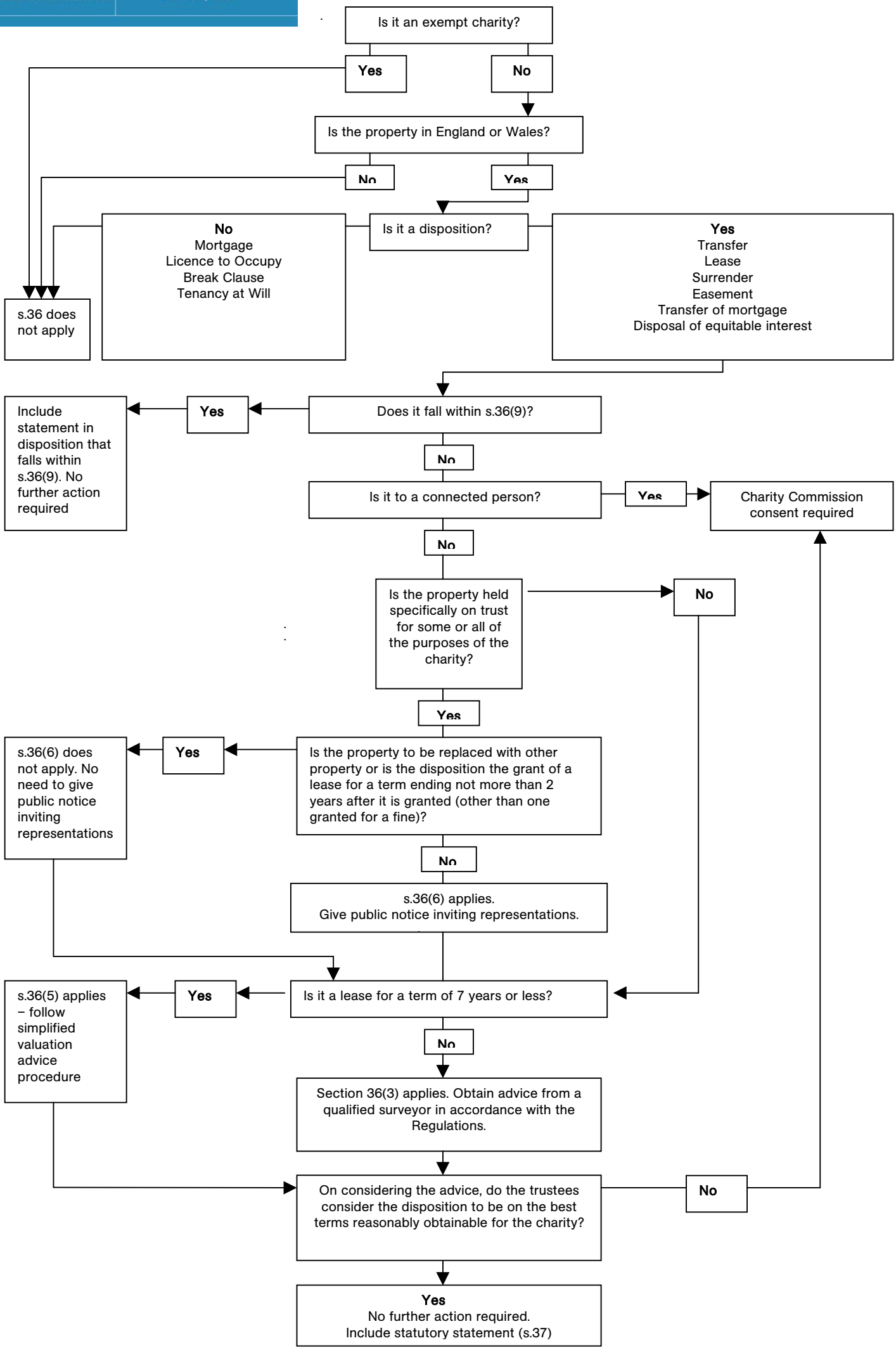
Is it an exempt charity?
Yes
No
Is the property in England or Wales?
No
Yes
Is it a disposition?
No
Mortgage
Licence to Occupy
Break Clause
Tenancy at Will
Yes
Transfer
Lease
Surrender
Easement
Transfer of mortgage
Disposal of equitable interest
s.36 does not apply
Does it fall within s.36(9)?
Yes
Include statement in disposition that falls within s.36(9). No further action required
No
Is it to a connected person?
Yes
Charity Commission consent required
No
Is the property held specifically on trust for some or all of the purposes of the charity?
No
Yes
Is the property to be replaced with other property or is the disposition the grant of a lease for a term ending not more than 2 years after it is granted (other than one granted for a fine)?
Yes
s.36(6) does not apply. No need to give public notice inviting representations
No
s.36(6) applies.
Give public notice inviting representations.
Is it a lease for a term of 7 years or less?
Yes
s.36(5) applies – follow simplified valuation advice procedure
No
Section 36(3) applies. Obtain advice from a qualified surveyor in accordance with the Regulations.
On considering the advice, do the trustees consider the disposition to be on the best terms reasonably obtainable for the charity?
No
Yes
No further action required.
Include statutory statement (s.37)