

Subsidiary Legislation made under ss. 11 and 159.

Charities (Annual Returns and Fees) Regulations 2026

LN.2026/350

Commencement **8.10.2026**

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Regulation

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2026/350 Charities (Annual Returns and Fees) Regulations 2026

In exercise of the powers conferred on him by sections 11 and 159 of the Charities Act 2026 and all other enabling powers, the Minister has made these Regulations-

**PART I
PRELIMINARY**

Title.

1. These Regulations may be cited as the Charities (Annual Returns and Fees) Regulations 2026.

Commencement.

2. These Regulations come into operation on the date of publication.

Interpretation.

- 3.(1) In these Regulations-

“accounts” means-

- (a) the statement of accounts prepared for the financial year to which the annual return relates under section 43(1) of the Act;
- (b) the account and statement prepared for the financial year to which the annual return relates under section 44 of the Act;
- (c) if the charity is a charitable company or foundation, the annual accounts prepared for the financial year to which the annual return relates under Part VII of the Companies Act 2014 or section 27 of the Private Foundations Act 2017, as the case may be;

“the Act” means the Charities Act 2026;

“benefit” means in the context of questions 18 and 19 of Schedule 2, the meaning given by section 164 of the Act;

“cash courier” shall be construed in accordance with recommendation 32 of the FATF Recommendations and the interpretative note in respect thereof;

“FATF Recommendations” means the FATF Recommendations adopted by the Financial Action Task Force on 16 February 2012 and updated in February 2013, October 2015, June 2016, October 2016 and November 2017;

“individual donor resident outside Gibraltar” in the context of question 28 means an individual donor whose primary home address is outside Gibraltar;

“individual payment over the relevant threshold” means an individual payment whose value is 80% or more of the charity’s gross income in the financial year to which the annual return relates;

“large payment” means an individual payment of over £25,000;

“money services business” means an undertaking which by way of business operates a currency exchange office, transmits money (or any representation of monetary value) by any means or cashes cheques which are made payable to customers;

“non-profit organisation” means a non-profit organisation and should be construed in accordance with recommendation 8 of the FATF Recommendations and the interpretative note in respect thereof;

“relevant auditor’s or examiner’s report” has the meaning given to it in section 154(2) of the Act or, if the charity is a charitable company, section 154(4) of the Act;

“remuneration” in the context of questions 18 and 19 of Schedule 2 has the meaning given by section 164 of the Act;

“services” in the context of question 19(b) includes any goods that are supplied in connection with the provision of services;

“serious incident” means an event, whether actual or alleged, which results in or risks significant loss to the charity’s assets, damage to the charity’s property or harm to the charity’s work, beneficiaries or reputation;

“SORP” means the applicable UK Statement of Recommended Practice;

“trustees’ annual report” means the annual report required to be prepared under section 151 of the Act;

“the Register” means the register of charities kept under section 17 of the Act;

(2) Part D of Schedule 2 shall be construed in accordance with the SORP and in Part D of Schedule 2-

(a) the definitions of Appendix 1 of the SORP apply; and

- (b) the definitions in regulation 3(1) apply to the extent that they do not conflict with the definitions in Appendix 1 of the SORP.

Fees.

4. Upon submission of the annual return, there shall be payable to the Commission the fees set out in the second column of Schedule 1, depending on the annual income of the registered charity..

5. The Commission may, in its discretion and in exceptional circumstances, waive, reduce or remit wholly or in part any fee payable under these Regulations.

Annual Returns.

6. An annual return prepared by a registered charity for the purposes of section 159(1) of the Act must in respect of each of its financial years ending on or after 1 January 2027 contain:

- (a) if the charity's gross income in the financial year to which the return relates does not exceed £50,000, the information specified in Parts A and B of Schedule 2;
- (b) if the charity's gross income in the financial year to which the return relates exceeds £50,000 but does not exceed £1,250,000, the information specified in Parts A, B and C of Schedule 2; and
- (c) if the charity's gross income in the financial year to which the return relates exceeds £1,250,000, the information specified in Parts A, B, C and D of Schedule 2;

7. These Regulations do not apply to an annual return prepared by a registered charity that is a common investment fund.

8. A registered charity that is a common deposit fund established by a common deposit scheme made or having effect as if made is not required to prepare an annual return.

SCHEDULE 1

Regulation 4

Annual Income	Annual Fee
Over £5,000,000	£5,000
£2,000,000 - £4,999,999	£2,500
£500,000 - £ 1,999,999	£1,000
£100,000 - £499,999	£500
Up To £99,999	£50

SCHEDULE 2

Regulation 6

Part A – All Charities

In the financial year to which the annual return relates:

Financial Year End Date

1. Specify the year end date to which the annual return relates.

Income

2. What was the charity's gross income?

Spending

3. What was the charity's total expenditure?

Fundraising

4. Did the charity raise funds from the public?
5. If the response to question 4 is yes:
 - (a) Did the charity work with one or more professional fund raisers?
 - (b) Did the charity have a written agreement with each of its professional fund raisers?
 - (c) Did the charity work with one or more commercial participators?
 - (d) Did the charity have a written agreement with each of its commercial participators?

Grant-making

6. If the charity has indicated to the Commission that it makes grants to individuals or to institutions, is grant-making the main way that the charity carries out its purposes?

Income from Government – contracts

7. Did the charity receive income under contracts (other than grant agreements) with His Majesty's Government of Gibraltar?

8. If the response to question 7 is yes:

(a) How many contracts (other than grant agreements) did the charity have with His Majesty's Government of Gibraltar?

(b) What was the total value of those contracts?

Income from Government – grants

9. Did the charity receive any grant funding from His Majesty's Government of Gibraltar?

10. If the response to question 9 is yes:

(a) How many grants did the charity receive from His Majesty's Government of Gibraltar?

(b) What was the total value of those grants?

Income from outside Gibraltar

11. Did the charity receive any income from outside Gibraltar?

12. If the response to question 11 is yes, identify the countries outside Gibraltar from which the charity received income and/or select 'unknown'.

13. If the response to question 11 is yes, for each country identified in response to question 12 specify:

(a) The total value of the income received from each of the following sources:

(i) the governments of any countries outside Gibraltar and quasi government bodies outside Gibraltar;

(ii) non-profit organisations established or incorporated outside Gibraltar; and

(iii) any unknown sources outside Gibraltar.

(b) The total value of the sums specified in response to question 13(a) and any sums specified in response to question 28.

Operating and spending outside Gibraltar

14. Did the charity operate outside of Gibraltar?

15. If the response to question 14 is yes:

(a) Identify the countries outside Gibraltar in which the charity operated.

(b) Record the charity's total expenditure in each country identified.

Subsidiaries

16. Did the charity have any subsidiaries?

17. If the response to question 16 is yes, are any of the charity trustees also directors of those subsidiaries?

Trustee payments and benefits

18. Did any of the charity trustees receive any remuneration or benefits from the charity other than expenses properly incurred when acting on behalf of the charity?

19. If the response to question 18 is yes, did those charity trustees receive:

(a) any remuneration for acting as a charity trustee to the charity?

(b) any remuneration for providing goods or services to the charity?

(c) any other benefit from the charity?

20. Did any of the charity trustees resign their charity trusteeship and then take up employment with the charity?

Employee benefits

21. Did any of the charity's employees receive total benefits worth £60,000 or more?

22. If the response to question 21 is yes, specify the number of employees in receipt of total employee benefits (rounded to the nearest whole pound sterling).

23. What was the value of the total employee benefits provided by the charity to its highest paid employee?

Volunteers

24. Specify the charity's best estimate of the total number of individual volunteers involved in the charity and based in Gibraltar, excluding the charity trustees.

Financial controls

25. Did the charity review its internal financial controls?

Safeguarding

26. If the charity has indicated to the Commission that it works with children or vulnerable adults and that it operates by providing services, and the charity is not regulated by any other regulator in respect of matters relating to safeguarding children or vulnerable adults has the charity obtained a police check on every charity trustee, employee and volunteer in an eligible position?

Declaration

27. Specify the following information about the person completing the annual return:

- (a) title;
- (b) full name;
- (c) role within charity;
- (d) daytime telephone number; and
- (e) email address.

Part B – All Charities

In the financial year to which the annual return relates:

28. If the response to question 11 is yes, for each country identified in response to question 12, specify either:

- (a) If the charity's gross income in the financial year to which the annual return relates does not exceed £50,000, the total value of any individual payment over the relevant threshold received by the charity from either of the following sources:
 - (i) institutions established or incorporated outside Gibraltar, other than those specified in question 13(a)(ii); and

- (ii) individual donors resident outside Gibraltar; or
- (b) If the charity's gross income in the financial year to which the annual return relates exceeds £50,000, the total value of any large payment received by the charity from the following sources:
 - (i) institutions established or incorporated outside Gibraltar, other than those specified in question 13(a)(ii); and
 - (ii) individual donors resident outside Gibraltar.

Operating and spending outside Gibraltar

29. If the response to question 14 is yes:

- (a) When operating outside of Gibraltar, did the charity transfer funds outside the regulated banking system?
- (b) If the response to question 30(a) is yes, specify the total value of the funds transferred outside Gibraltar by:
 - (i) cash couriers;
 - (ii) non-profit organisations;
 - (iii) money service business;
 - (iv) informal money transfer systems;
 - (v) online payment methods outside the regulated banking system; and
 - (vi) any other payment methods.
- (c) Did the charity have controls in place to enable it to monitor its spending outside of Gibraltar?
- (d) Are the charity trustees satisfied that the charity's risk management policies and procedures adequately addressed the risks to the charity arising from its spending and operations outside Gibraltar?

Serious Incidents

30. In the financial year to which the annual return relates, were there any serious incidents that have not been reported to the Commission?

Part C – Charities whose gross income in the financial year to which the return relates exceeds £50,000

Trustees’ annual reports and accounts

31. Are you ready to submit a copy of the trustees’ annual report, the charity’s accounts and the relevant auditor’s or examiner’s report? If yes, please attach these documents.

32. If the charity’s accounts for the financial year to which the return relates were examined by an independent examiner or audited, did the independent examiner or auditor identify any matters of concern in the relevant auditor’s or examiner’s report?

Part D - Charities whose gross income in the financial year to which the return relates exceeds £1,250,000

In the financial year to which the annual return relates:

Type of accounts

33. Is the financial information provided in the annual return based on accounts that relate to the charity only or on consolidated accounts?

Income and endowments

34. Specify the charity’s gross income.

35. Specify the income the charity received from each of the following sources:

- (a) donations and legacies;
- (b) trading activities;
- (c) investments;
- (d) charitable activities; and
- (e) any other sources.

36. Of the income specified in response to question 35(a), specify the income the charity received from each of the following sources:

- (a) donations and legacies excluding endowments; and
- (b) endowments.

Expenditure

37. Specify the charity's total expenditure.
38. Specify the charity's expenditure on each of the following:
- (a) raising funds;
 - (b) investment management costs;
 - (c) expenditure on charitable activities;
 - (d) governance costs; and
 - (e) any other expenditure.
39. Of the expenditure specified in response to question 38(c), specify the charity's expenditure on grants to institutions.

Other recognised gains/losses

40. Specify the charity's gains/losses on revaluation of fixed assets.
41. Specify the charity's actuarial gains/losses relating to defined benefit pension schemes.
42. Specify the charity's net gains/losses on investment assets.
43. Specify the charity's gains/losses not covered in the responses to questions 40 to 42.

Assets and liabilities

44. Specify the value of the charity's:
- (a) total fixed assets;
 - (b) fixed asset investments;
 - (c) total current assets;

(d) current investment assets; and

(e) cash at the bank and in hand.

45. Specify the value of the charity's:

(a) creditors falling due within one year;

(b) creditors falling due after more than one year, including any provision for liabilities and charges; and

(c) defined benefit pension scheme asset or liability.

46. Specify the value of the charity's total net assets.

Funds

47. Specify the value of the charity's:

(a) endowment funds;

(b) restricted funds; and

(c) unrestricted funds.

48. Specify the total value of the charity's funds.

Additional information

49. Specify the charity's:

(a) support costs;

(b) depreciation charge for the year;

(c) level of reserves; and

(d) total number of employees (head count) averaged over the financial year to which the annual return relates.