

CIC 37

Declarations on Conversion to a Community Interest Companyⁱ

*Please
complete in
typescript,
or in bold
black
capitals.*

Company Number

Company Name in full

Proposed Company
Name in full

Community Interest Company

SECTION A: COMMUNITY INTEREST STATEMENT – beneficiaries

1. We/I, the undersigned, declare that the company will carry on its activities for the benefit of the community, or a section of the communityⁱⁱ. [Insert a short description of the community, or section of the community, which it is intended that the company will benefit in the space provided below]ⁱⁱⁱ

The company's activities will provide benefit to ...

COMPANY NUMBER

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SECTION B: Community Interest Statement – Activities & Related Benefit

Please indicate how it is proposed that the company's activities will benefit the community, or a section of the community. Please provide as much detail as possible to enable the CIC Regulator to make an informed decision about whether your company is eligible to become a community interest company. It would be useful if you were to explain how you think your company will be different from a commercial company providing similar services or products for individual or personal gain.

Activities (Tell us here what the company is being set up to do)	How will the activity benefit the community? <i>(The community will benefit by...)</i>
If the company makes any surplus it will be used for...	

(Please continue on separate continuation sheet if necessary.)

COMPANY NUMBER

SECTION C: Declarations on conversion to a community interest company

Please delete either **DECLARATION 1A** or **DECLARATION 1B** below.^{iv}

Declaration 1A.

We/I further declare that:

(i) the company is not a charity (as defined in the Charities Act 1993) or a Scottish charity^v or a Northern Ireland charity^{vi}. (as defined in section 63(1) of the Companies (Audit, Investigations and Community Enterprise)Act 2004 ("**the Act**").

Declaration 1B.

We/I further declare that:

(i) the Charity Commissioners have given the company written consent to change its name to comply with section 33 of the Act^{vii}

Declaration 2

We/I, the undersigned, declare that the company in respect of which this application is made will not be:

- (a) a political party;
- (b) a political campaigning organisation; or
- (c) a subsidiary of a political party or of a political campaigning organisation.^{viii}

SECTION C: SIGNATORIES

Each person who is a director of the company must sign the declarations.

Signed	<input type="text"/>	Date	<input type="text"/>
Signed	<input type="text"/>	Date	<input type="text"/>
Signed	<input type="text"/>	Date	<input type="text"/>
Signed	<input type="text"/>	Date	<input type="text"/>
Signed	<input type="text"/>	Date	<input type="text"/>

(Please continue on separate continuation sheet if necessary.)

CHECKLIST

This form must be accompanied by the following documents:

- (a) Special resolution to alter the company's memorandum to state that it is to be a community interest company
- (b) Special resolutions under the Companies Act 1985 or Companies (Northern Ireland) Order 1986 to make such alterations of the company's memorandum and articles as the company considers necessary to comply with requirements imposed by section 32 of the Act and Part 3 of the Regulations or which are otherwise appropriate in connection with becoming a community interest company
- (c) Special resolution to change the company's name to comply with section 33 of the Act
- (d) Copy of the memorandum and articles of the company as altered by the special resolutions
- (e) Any completed continuation sheets

You do not have to give any contact information in the box opposite but if you do, it will help the Registrar of Companies to contact you if there is a query on the form. The contact information that you give will be visible to searchers of the public record.

Tel	
DX Number	DX Exchange

When you have completed and signed the form please send it to the Registrar of Companies at:

For companies registered in England and Wales: Companies House, Crown Way, Cardiff, CF14 3UZ DX 33050 Cardiff

For companies registered in Scotland: Companies House, 37 Castle Terrace, Edinburgh, EH1 2EB DX235 Edinburgh or LP – 4 Edinburgh 2

For companies registered in Northern Ireland: Companies Registry, Department of Enterprise, Trade and Investment, Waterfront Plaza, 8 Laganbank Road Belfast BT1 3BS

NOTES

ⁱ This form will be placed on the public record. Any information relevant to the application that you do not wish to appear on the public record, should be described in a separate letter addressed to the CIC Regulator and delivered to the Registrar of Companies with the other documents.

ⁱⁱ The community interest test is referred to in section 35 of the Companies (Audit, Investigations and Community Enterprise) Act 2004 and is expanded upon in regulations 3, 4 & 5 of the Regulations.

ⁱⁱⁱ E.g. "the residents of Oldtown" or "those suffering from XYZ disease".

^{iv} A community interest company cannot benefit from charitable status. An existing company which wishes to become a community interest company must either not have charitable status (in which case delete declaration 1B) or must satisfy the criteria set out in paragraph 2B (in which case delete declaration 1A).

^v A Scottish charitable company is a company, which is a Scottish charity. A Scottish charity is a body entered in the Scottish Charity register, kept by the Office of the Scottish Charity Regulator under the Charities and Trustee Investment (Scotland) Act 2005.

^{vi} Northern Ireland charity is a company, which is a Northern Ireland charity. A Northern Ireland charity is a body that has applied to the Inland Revenue and been granted charitable status for tax purposes.

^{vii} Scottish charities and Northern Ireland charities may not at present become community interest companies (although this is expected to change). The permission of the Charity Commissioners is required before a charitable company, which is a charity under the law of England, and Wales can change its name to become a community interest company.

^{viii} A company is not eligible to be formed as a community interest company if it will be an "excluded company". If you are not sure whether the company which you wish to form falls into any of these categories, you should refer to the definitions of the terms "political party", "political campaigning organisation" and "subsidiary" (and of the related terms "election", "governmental authority", "public authority" and "referendum") in Regulation 2 of the Regulations before completing this form.