



Independent Examiners

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BRIEFING PAPER

Incorporation Summary

INDEPENDENT EXAMINERS LIMITED

Sovereign Centre · Yapton Lane · Walberton · West Sussex · BN18 0AS

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INCORPORATION - SUMMARY

- Benefits: Limited liability
- Corporate entity: Contracts can be held by the company rather than trustees individually
Property can be owned by the company rather than trustees individually
Mortgage – can be held by the company rather than trustees individually
Mitigation of risk through limited liability
Protection from potential claims by third parties as the company is liable rather than trustees individually provided they have acted appropriately
If there are debts, these are owed by the company rather than trustees individually – assuming that trustees have not given personal guarantees or entered into contracts in a personal capacity
Strong position to convert to the CIO as and when it becomes available should you wish to convert
Opportunity to update, amend governing document including changing the objects if necessary
- Impact: Additional admin during the changeover
Opening new company bank account
Changing Gift Aid Declarations
New stationery
Complying with Companies House requirements
Complying with (HMRC) Inland Revenue requirements re Corporation Tax etc
Informing all stakeholders of the change in status
- Additional impact: Child protection policy, vulnerable adults’ policy, all trustees will also be required to be CRB checked prior to charity registration
Pensions – you will need to take independent advice to ensure that these are transferable and there is no added liability

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