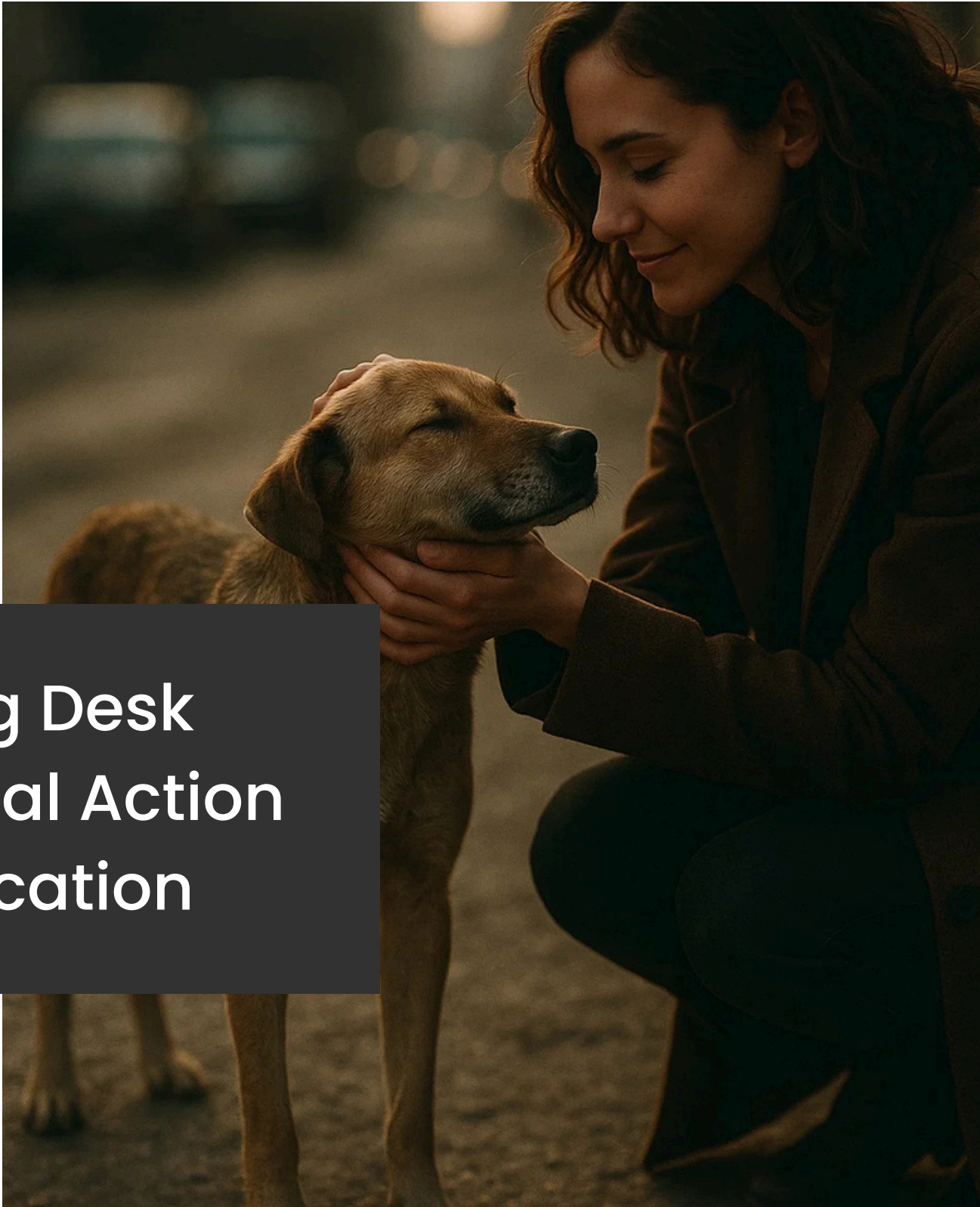


Your Organisation



LEGAL FORMS & ADVOCACY UNITED KINGDOM



A Dog Desk
Animal Action
Publication



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Legal Structures in the UK

CHOOSING THE RIGHT LEGAL STRUCTURE IS ONE OF THE MOST IMPORTANT STEPS IN BUILDING A NOT-FOR-PROFIT ORGANISATION. IT AFFECTS HOW YOU OPERATE, WHAT KIND OF FUNDING YOU CAN ACCESS, AND HOW FREELY YOU CAN ENGAGE IN ADVOCACY AND CAMPAIGNING – KEY CONSIDERATIONS FOR ANY GROUP SEEKING SOCIAL CHANGE.

BEFORE DECIDING, IT'S ESSENTIAL TO UNDERSTAND THE OPTIONS AND TO SEEK GUIDANCE FROM A LAWYER AND NOT-FOR-PROFIT ACCOUNTING SPECIALIST. THE WRONG STRUCTURE CAN LIMIT YOUR ABILITY TO RAISE FUNDS, ADVOCATE EFFECTIVELY, OR EVEN CONTINUE YOUR WORK IN THE LONG TERM.

THIS GUIDE OUTLINES THE MAIN LEGAL FORMS AVAILABLE IN THE UK AND HOW EACH RELATES TO POLITICAL ACTIVITY AND PUBLIC ADVOCACY.

UNINCORPORATED ASSOCIATION



Best for: Small, local, or informal advocacy groups.

An unincorporated association is simply a group of people working together for a shared purpose under a written constitution. It's quick to set up and ideal for grassroots initiatives that may focus on awareness-raising or local campaigning.

Inexpensive and easy to form.

Committee members can be personally liable for debts.

Harder to access institutional grants or contracts.

Unincorporated associations have the fewest legal restrictions on political expression, though they still must avoid unlawful or defamatory activity. This structure gives strong flexibility for campaigning, lobbying, and awareness work.

CHARITABLE TRUST

Best for: Managing grants or charitable funds with minimal operational work.

A charitable trust is governed by a trust deed and managed by trustees. It must be set up for exclusively charitable purposes, such as relief of poverty, advancement of education, or protection of animals.

Advantages:

Tax benefits.

Strong governance structure.

Disadvantages:

Limited flexibility for day-to-day operations.

Trustees have personal duties and limited scope to campaign.

Advocacy note:

Charitable trusts cannot be political bodies. They may engage in campaigning related to their charitable aims, but they must not support or oppose a political party or candidate. Advocacy must always further the charity's charitable objectives, for example, raising awareness of animal welfare laws, not promoting specific legislation or political outcomes.

CHARITABLE INCORPORATED ORGANISATION (CIO)

Best for: Registered charities seeking limited liability and a simple structure.

CIOs are regulated solely by the Charity Commission and designed to simplify life for incorporated charities.

Advantages:

Separate legal identity and limited liability.
Easier property ownership and contracting.
Reduced administrative burden compared with a company/charity hybrid.

Disadvantages:

Political neutrality required by law.

Advocacy note:

Like other charities, CIOs can campaign in support of their charitable objectives (e.g., improving welfare standards or influencing animal protection laws) but must not engage in party politics or use resources for partisan aims. Their advocacy is therefore powerful but carefully regulated.

COMPANY LIMITED BY GUARANTEE (CLG)

Best for: Larger not-for-profits that want flexibility

A CLG can be either charitable or non-charitable. If registered as a charity, it must follow Charity Commission guidance; if not, it can operate as a not-for-profit social or campaigning organisation.

Advantages:

Separate legal entity and limited liability.

Recognised structure for funders and partners.

Flexibility to choose charitable or non-charitable status.

Disadvantages:

Dual reporting if it's a charity.

More administrative work.

Advocacy note:

A non-charitable CLG offers one of the strongest voices for political advocacy. It can campaign, lobby, and take positions on policy without the restrictions placed on charities, provided its activities remain lawful and in line with its constitution. This structure is common among advocacy groups, trade associations, and policy networks.

Community Interest Company (CIC)

Best for: Social enterprises that want to trade without a subsidiary company while delivering charitable benefit to communities.

A CIC is regulated by the CIC Regulator. It can be limited by shares or by guarantee, and it must demonstrate that its activities are of charitable benefit.

Advantages:

Combines flexibility with social purpose.

Assets protected by an asset lock.

Disadvantages:

Not as well known as some charitable forms

Advocacy note:

CICs may engage in advocacy and political campaigning, provided it supports their community benefit aims and does not become their primary activity. They cannot be party political, but they can speak robustly on social, environmental, or welfare issues. For organisations seeking a balance between trading, campaigning, and social mission, the CIC offers strong advocacy potential with formal accountability.

Community Benefit Society (BenCom)

Best for: Community-owned initiatives working for public good.

Registered with the Financial Conduct Authority (FCA), a BenCom operates for community benefit rather than private profit. It's democratic, with members having one vote each.

Advantages:

- Community ownership and accountability.
- Ability to raise capital through community shares.
- Eligible for some social investment reliefs.

Disadvantages:

- Complex FCA regulation.
- Limited flexibility in governance.

Advocacy note:

BenComs can advocate on policy or legislative matters affecting their members or communities, but like charities and CICs they must remain politically neutral. Their community legitimacy can make them persuasive voices in local or regional advocacy.

Choosing the Right Structure for Advocacy



Choosing the Right Structure for Advocacy

If advocacy and policy influence are central to your mission, it's important to choose a structure that supports — not restricts — that work.

Objective	Recommended Structure	Advocacy Strength
Grassroots campaigning or activism	Unincorporated Association	★★★★
Charitable work with occasional campaigning	CIO or Charitable Trust	★★
Broad advocacy or lobbying for policy change	Non-charitable CLG	★★★★★
Social enterprise combining advocacy with trading	CIC	★★★★
Community-owned policy advocacy	BenCom	★★★

Final Thoughts

The line between charitable campaigning and political advocacy in the UK can be fine and costly if crossed unintentionally.

Before registration, it's wise to ask:

Do we need the simple tax benefits of charity status, or the freedom to campaign?

How much advocacy will we undertake, and at what level (local, national, international)

What structure gives us both credibility and voice?

In short:

Charities can campaign within limits.

CLGs and CICs have greater freedom to influence policy and public opinion.

Unincorporated associations offer the most flexibility but least legal protection.

Choosing the right structure ensures your organisation can speak up powerfully and responsibly for the causes that matter most.



Important Disclaimer

This article provides general information only and is not a substitute for professional legal or financial advice.

Before choosing your organisation's legal form, you should consult a qualified lawyer and a not-for-profit specialist accountant.

Mistakes made at the registration stage can be costly and may seriously affect your organisation's mission, operations, and credibility.