

SCHEDULE
FURTHER MODIFICATION OF THE 2005 ACT

Notices

- 20 (1) Section 100 of the 2005 Act (notices, applications etc.) is modified as follows.
- (2) After subsection (5), insert—
- “(5A) Subsection (5B) applies where OSCR has cause to believe that giving or making a formal communication to a charity by the means specified in subsection (4)(b) or (5)(b) will not cause it to be received by the charity or, as the case may be, the charity trustee whose name is set out in the charity’s entry in the Register.
- (5B) The communication may also be given or made by OSCR sending it by post in a prepaid registered letter, or by the recorded delivery service, addressed to the charity at such address or addresses as OSCR considers is likely to cause it to be received by the charity or a charity trustee of the charity.
- (5C) Subsection (5D) applies where—
- (a) OSCR has cause to believe that giving or making a formal communication of a specified notice to a charity, body or person by the means specified in subsection (4)(b) or (5)(b) will not cause it to be received by the charity, body or person, and
- (b) based on the contact details OSCR holds for the charity, body or person, OSCR considers that it is not reasonably practicable to give or make the communication by the means specified in subsection (4)(a) or (c) or (5B).
- (5D) The communication may also be given or made by such other means as OSCR considers appropriate (including, for example, by publishing the notice on its website or in a newspaper).
- (5E) For the purposes of subsection (5C), a specified notice is one given by OSCR under—
- (a) section 45A(2),
- (b) section 72(1) so far as it relates to a decision referred to in one of the following paragraphs of section 71—
- (i) paragraph (h),
- (ii) paragraph (l) (so far as it relates to a direction under section 31(7) or (9)),
- (iii) paragraph (mb),
- (iv) paragraph (pb).”.