

**2007 No. 117 (C. 14)**

**CHARITIES**

**The Charities and Trustee Investment (Scotland) Act 2005  
(Commencement No. 4) Order 2007**

*Made* - - - -

*26th February 2007*

The Scottish Ministers, in exercise of the powers conferred by sections 103(2) and 107(2) of the Charities and Trustee Investment (Scotland) Act 2005<sup>(a)</sup>, and of all other powers enabling them in that behalf, hereby make the following Order:

**Citation and interpretation**

**1.**—(1) This Order may be cited as the Charities and Trustee Investment (Scotland) Act 2005 (Commencement No. 4) Order 2007.

(2) In this Order “the Act” means the Charities and Trustee Investment (Scotland) Act 2005.

**Commencement of Provisions**

**2.**—(1) Section 96 of the Act shall come into force on 27th February 2007.

(2) Section 39, so far as not already in force and section 40, 41 and 42 of the Act shall come into force on 31st May 2007.

St Andrew’s House,  
Edinburgh  
26th February 2007

*RHONA BRANKIN*  
A member of the Scottish Executive

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<sup>(a)</sup> 2005 asp 10.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force on 31st May 2007 section 39 so far as not already in force and sections 40, 41 and 42 of the Charities and Trustee Investment (Scotland) Act 2005 (“the 2005 Act”). Sections 39 to 42 allow charities to apply to the Scottish Charity Regulator (“OSCR”) to reorganise and allow OSCR to apply to the Court of Session for approval to reorganise a charity.

This Order also brings into force section 96 of the 2005 Act on 27th February 2007. Section 96 provides that charities have the power to participate in common investment schemes and common deposit schemes, unless their constitution prevents it.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by Commencement Order made before the date of this Order:–

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 1(1) to (4) and (6) to (10)	24th February 2006	2006/74
Section 1(5), except subsection (5)(a)	1st April 2006	2006/189
Section 1(5)(a)	24th April 2006	2006/189
Section 2	24th April 2006	2006/189
Section 3 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 3	1st April 2006	2006/189
Section 4	24th April 2006	2006/189
Section 5	24th April 2006	2006/189
Section 6 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 6	24th April 2006	2006/189
Section 7 (only for the purpose of enabling orders to be made)	1st January 2006	2005/644
Section 7	24th April 2006	2006/189
Section 8	24th April 2006	2006/189
Section 9	24th February 2006	2006/74
Section 10	24th April 2006	2006/189
Section 11	24th April 2006	2006/189
Section 12	24th April 2006	2006/189
Section 13	1st April 2006	2006/189
Section 14	1st April 2006	2006/189
Section 15 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 15	24th April 2006	2006/189
Section 16	1st April 2006	2006/189
Section 17	1st April 2006	2006/189
Section 18	24th April 2006	2006/189
Section 19 (only for the purpose of enabling orders and regulations to be made)	1st January 2006	2005/644

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 19	24th April 2006	2006/189
Section 20	24th April 2006	2006/189
Section 21	24th April 2006	2006/189
Section 22	1st April 2006	2006/189
Section 23 (only for the purpose of enabling orders to be made)	1st January 2006	2005/644
Section 23	24th April 2006	2006/189
Section 24	24th April 2006	2006/189
Section 25 (only for the purpose of enabling orders to be made)	1st January 2006	2005/644
Section 25	24th April 2006	2006/189
Section 26	24th April 2006	2006/189
Section 27	24th April 2006	2006/189
Section 28	1st April 2006	2006/189
Section 29	1st April 2006	2006/189
Section 30	24th April 2006	2006/189
Section 31	1st April 2006	2006/189
Section 32	1st April 2006	2006/189
Section 33	1st April 2006	2006/189
Section 34	1st April 2006	2006/189
Section 35 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 35	1st April 2006	2006/189
Section 36	1st April 2006	2006/189
Section 37	1st April 2006	2006/189
Section 38	1st April 2006	2006/189
Section 39 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 43	1st April 2006	2006/189
Section 44 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 44	1st April 2006	2006/189
Section 45	1st April 2006	2006/189
Section 46	1st April 2006	2006/189
Section 47	1st April 2006	2006/189
Section 48 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 48	1st April 2006	2006/189
Section 65	1st April 2006	2006/189
Section 66	1st April 2006	2006/189
Section 67	1st April 2006	2006/189
Section 68	1st April 2006	2006/189
Section 69	1st April 2006	2006/189
Section 70	1st April 2006	2006/189
Section 71	1st April 2006	2006/189
Section 72	1st April 2006	2006/189
Section 73	1st April 2006	2006/189
Section 74	1st April 2006	2006/189

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Section 75	24th February 2006	2006/74
Section 76	1st April 2006	2006/189
Section 77	1st April 2006	2006/189
Section 78	1st April 2006	2006/189
Section 79	1st January 2006	2005/644
Section 80	24th April 2006	2006/189
Section 81	24th April 2006	2006/189
Section 82	24th April 2006	2006/189
Section 83 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 83	24th April 2006	2006/189
Section 86 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 90 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 91 (only for the purpose of enabling regulations to be made)	1st January 2006	2005/644
Section 93	1st January 2006	2005/644
Section 94	1st January 2006	2005/644
Section 95	1st January 2006	2005/644
Section 97	1st January 2006	2005/644
Section 98	1st April 2006	2005/644
Section 99(3) and (4)	24th February 2006	2006/74
Section 99	1st April 2006	2006/189
Section 100	24th April 2006	2006/189
Section 101	24th April 2006	2006/189
Section 104	1st April 2006	2006/189
Section 105	1st April 2006	2006/189
Section 106	1st January 2006	2005/644
Schedule 1 (only for the purposes of enabling orders to be made)	1st January 2006	2005/644
Schedule 1	24th February 2006	2006/74
Schedule 2 (only for the purposes of enabling orders and rules to be made)	1st January 2006	2005/644
Schedule 2	24th February 2006	2006/74
Schedule 3	1st January 2006	2005/644
Paragraphs 1, 2, 3, 4, 5(a), 6, 7, 10, 12 to 19 of Schedule 4	1st April 2006	2006/189
Paragraph 9 of Schedule 4	24th April 2006	2006/189

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