

SCHEDULES

SCHEDULE 8

MINOR AND CONSEQUENTIAL AMENDMENTS

Charities Act 1993 (c. 10)

- 139 (1) Section 46 (special provisions as respects accounts etc. of excepted charities) is amended as follows.
- (2) In subsection (2) for “the Commissioners consent” substitute “the Commission consents”.
- (3) For subsection (3) substitute—
- “(3) Except in accordance with subsections (3A) and (3B) below, nothing in section 43, 44, 44A or 45 applies to any charity which—
- (a) falls within section 3A(2)(d) above (whether or not it also falls within section 3A(2)(b) or (c)), and
- (b) is not registered.
- (3A) Section 44A above applies in accordance with subsections (2A) and (2B) above to a charity mentioned in subsection (3) above which is also an exempt charity.
- (3B) Sections 44 and 44A above apply to a charity mentioned in subsection (3) above which is also an English National Health Service charity or a Welsh National Health Service charity (as defined in sections 43A and 43B above).”
- (4) In subsection (4) for the words from “(other than” onwards substitute “which—
- (a) falls within section 3A(2)(b) or (c) above but does not fall within section 3A(2)(d), and
- (b) is not registered.”
- (5) In subsection (5)—
- (a) for “the Commissioners” (in the first place) substitute “the Commission”, and
- (b) for “the Commissioners' request” substitute “the Commission's request”.
- (6) For subsection (7) substitute—
- “(7) The following provisions of section 45 above shall apply in relation to any report required to be prepared under subsection (5) above as if it were an annual report required to be prepared under subsection (1) of that section—
- (a) subsection (3), with the omission of the words preceding “a copy of the annual report”, and
- (b) subsections (4) to (6).”
- (7) Omit subsection (8).