

SCHEDULE

PART 1

MODIFICATIONS OF PUBLIC GENERAL ACTS

Companies (Audit, Investigations and Community Enterprise) Act 2004 (c. 27)

8.—(1) The Companies (Audit, Investigations and Community Enterprise) Act 2004 is amended as follows.

(2) In section 26(3)(b) (community interest companies), for the words from “given such” to the end substitute “entered in the Scottish Charity Register”.

(3) In section 40 (existing companies: Scottish charities)—

(a) in subsection (7), for the words from “that does” to the end substitute—

“it shall continue to be under a duty to apply—

(a) any property previously acquired, or any property representing property previously acquired,

(b) any property representing income which has previously accrued, and

(c) the income from any such property,

in accordance with its purposes as set out in its entry in the Scottish Charity Register immediately before it became a community interest company.”.

(b) in subsection (8), the word “or” and paragraph (b) are repealed; and

(c) subsection (9) is repealed.

(4) In section 54(8) (becoming a charity or a Scottish charity), for the words from “Commissioners of” to the end substitute “Scottish Charity Regulator that, if the special resolutions take effect and the company ceases to be a community interest company, the company will be entered in the Scottish Charity Register”.

(5) In section 63(1) (interpretation), for the definition of “Scottish charity” substitute—

““Scottish charity” means a body entered in the Scottish Charity Register.”.