
STATUTORY INSTRUMENTS

2008 No. 751

**The Charities Act 2006 (Commencement No. 3,
Transitional Provisions and Savings) Order 2008**

Citation and interpretation

1.—(1) This Order may be cited as the Charities Act 2006 (Commencement No. 3, Transitional Provisions and Savings) Order 2008.

(2) In this Order “the 2006 Act” means the Charities Act 2006.

Commencement

2. Subject to articles 3 to 12, the day appointed for the commencement of the provisions of the 2006 Act specified in Column 1 of the Schedule is 18th March 2008 except—

- (a) where a particular purpose is specified in Column 3 of that Schedule in relation to any such provision, the relevant provision comes into force on that date for that particular purpose only;
- (b) where any other limitation is specified in Column 3 of that Schedule in relation to any such provision, the relevant provision comes into force on that date subject to the specified limitation.

The Charity Tribunal

3. The Charity Tribunal has jurisdiction under section 2A(4)(a) of the 1993 Act only in respect of decisions, orders or directions of the Commission made on or after 18th March 2008.

4.—(1) The provisions specified in paragraph (2) do not affect the operation of the Coal Industry Act 1987, the Reverter of Sites Act 1987 or the 1993 Act in relation to any appeal brought in the High Court—

- (a) on or after 18th March 2008; and
- (b) in respect of a decision, order or direction of the Commission made before that date.

(2) The specified provisions are—

- (a) paragraphs 80(6) and (8), 83(3) and (4), 99(3), (4)(a) and (5)(a) and (c), 109(12), 111(7) and 171 of Schedule 8 to the 2006 Act; and
- (b) the corresponding entries in Schedule 9 to the 2006 Act.

Other amendments to the Charities Act 1993 (c. 41)

5. The amendments made by section 15 of the 2006 Act (amendment of section 13 of the 1993 Act) apply to applications made to the High Court before 18th March 2008 and outstanding on that date as they apply to applications made on or after that date.

6.—(1) The amendments made by section 16 of the 2006 Act (amendment of section 14 of the 1993 Act) do not give the Commission the power to make an order in respect of restricted property.

(2) In this article “restricted property” means property in respect of which the court had declined to make an order under section 14(4) of the 1993 Act before 18th March 2008.

7. Section 14A of the 1993 Act has effect only in relation to property given in response to a solicitation—

- (a) to which subsection (2A) of that section applies; and
- (b) which is made on or after 18th March 2008.

8. Section 64 of the 1993 Act continues to apply to any alterations made in accordance with subsection (2) of that section before 18th March 2008 as if section 31 of the 2006 Act had not been brought into force by this Order.

9. Section 74 of the 1993 Act continues to apply to any resolutions passed under subsection (2) of that section before 18th March 2008 as if sections 40 and 41 of the 2006 Act had not been brought into force by this Order.

10. Section 75 of the 1993 Act continues to apply to any resolutions passed under subsection (2) of that section before 18th March 2008 as if section 43 of the 2006 Act had not been brought into force by this Order.

Amendments to the Redundant Churches and other Religious Buildings Act 1969 (c. 22)

11. The amendments made by paragraph 51(5) of Schedule 8 to the 2006 Act (amendment of section 4 of the Redundant Churches and other Religious Buildings Act 1969) do not apply to any order made by the Commission before 18th March 2008.

Amendments to the Reverter of Sites Act 1987 (c. 15)

12. The amendments made by paragraph 82(3) of Schedule 8 to the 2006 Act (amendment of section 2 of the Reverter of Sites Act 1987) apply to applications made to the Commission before 18th March 2008 and outstanding on that date in the same way as they apply to applications made to the Commission on or after that date.

15th March 2008

Phil Hope
Parliamentary Secretary
Cabinet Office