



Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

PART 1

CHARITIES

CHAPTER 2

SCOTTISH CHARITY REGISTER

Applications

4 Application for entry in Register

An application for entry in the Register must—

- (a) state the name of the body making the application (the “applicant”),
- (b) state the principal office of the applicant or, where it does not have such an office, the name and address of one of the persons who, if the applicant is entered in the Register, will be its charity trustees,
- (c) be accompanied by—
 - (i) a statement of the applicant's purposes,
 - (ii) a copy of the applicant's constitution, and
 - (iii) the applicant's most recent statement of account (if any), and
- (d) contain such other information, and be accompanied by such other documents, as may be—
 - (i) required by regulations under section 6(1), or
 - (ii) otherwise requested by OSCR.

Commencement Information

II S. 4 in force at 24.4.2006 by S.S.I. 2006/189, art. 2(2), **Sch. Pt. 2**

Status: Point in time view as at 24/04/2006.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Charities and Trustee Investment (Scotland) Act 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

5 Determination of applications

- (1) OSCR may enter an applicant in the Register only if it considers that the applicant meets the charity test.
- (2) OSCR must refuse to enter an applicant if—
 - (a) it considers that the applicant's name falls within section 10, or
 - (b) the application must, by virtue of regulations under section 6(1), be refused, but must not otherwise refuse to enter an applicant which it considers meets the charity test.

Commencement Information

I2 S. 5 in force at 24.4.2006 by S.S.I. 2006/189, art. 2(2), **Sch. Pt. 2**

6 Applications: further procedure

- (1) The Scottish Ministers may by regulations make such further provision in relation to the procedure for applying and determining applications for entry in the Register (including applications under section 54(1), 56(1) and 59(1)) as they think fit.
- (2) Such regulations may in particular make provision about—
 - (a) information and documents which must be specified in or accompany an application,
 - (b) the form and manner in which applications must be made,
 - (c) the period within which OSCR must make a decision on an application, and
 - (d) circumstances in which OSCR must refuse to enter a body in the Register.

Commencement Information

I3 S. 6 in force at 1.1.2006 for specified purposes by S.S.I. 2005/644, art. 2(1), **Sch. 1**

I4 S. 6 in force at 24.4.2006 in so far as not already in force by S.S.I. 2006/189, art. 2(2), **Sch. Pt. 2**

Status:

Point in time view as at 24/04/2006.

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