



# 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.

#### **5 Determination of applications**

- (1) OSCR may enter an applicant in the Register only if it considers that the applicant meets the charity test.

---

*Status: This is the original version (as it was originally enacted).*

---

- (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.

## **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.