



# Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

## <sup>F1</sup>PART 1

### CHARITIES

#### CHAPTER 2

##### SCOTTISH CHARITY REGISTER

##### *References to charitable status*

### **13**      **References to charitable status**

- (1) A body entered in the Register may refer to itself as a “charity”, a “charitable body”, a “registered charity” or a “charity registered in Scotland”.
- (2) If such a body is established under the law of Scotland, or is managed or controlled wholly or mainly in or from Scotland, it may also refer to itself as a “Scottish charity” or a “registered Scottish charity”.
- (3) A body which refers to itself in any of the ways described in subsection (1) is to be treated as representing itself as a body entered in the Register.
- (4) A body which refers to itself in any of the ways described in subsection (2) is to be treated as representing itself—
  - (a) as a body entered in the Register, and
  - (b) as being established under the law of Scotland or managed or controlled wholly or mainly in or from Scotland.

---

*Changes to legislation: There are currently no known outstanding effects for the Charities and Trustee Investment (Scotland) Act 2005, Cross Heading: References to charitable status. (See end of Document for details)*

---

**Annotations:**

**Commencement Information**

**I1** S. 13 in force at 1.4.2006 by S.S.I. 2006/189, art. 2(1), **Sch. Pt. 1**

**14 Exception for certain bodies not in Register**

A body which is not entered in the Register may, despite section 13, refer to itself as a “charity” without being treated as representing itself as a charity if, and only if—

- (a) it is—
  - (i) established under the law of a country or territory other than Scotland,
  - (ii) entitled to refer to itself as a “charity” (by any means or in any language) in that country or territory, and
  - (iii) managed or controlled wholly or mainly outwith Scotland,
- (b) it does not—
  - (i) occupy any land or premises in Scotland, or
  - (ii) carry out activities in any office, shop or similar premises in Scotland, and
- (c) in making that reference, it also refers to being established under the law of a country or territory other than Scotland.

**Annotations:**

**Commencement Information**

**I2** S. 14 in force at 1.4.2006 by S.S.I. 2006/189, art. 2(1), **Sch. Pt. 1**

**15 References in documents**

(1) The Scottish Ministers may by regulations require each body entered in the Register to state, in legible characters—

- (a) that it is a charity,
- (b) such other information as may be specified in the regulations,

on such documents issued or signed on behalf of the charity as may be so specified.

(2) Such regulations may—

- (a) exempt charities, or charities of a particular type, from any of the requirements imposed by the regulations,
- (b) provide that any statement required by them may, in the case of documents which are otherwise wholly or mainly in a language other than English, be made in that other language.

[<sup>F1</sup>(3) For the purposes of this section, a reference to a document issued or signed on behalf of the charity includes a reference to a web page on a website operated by or on behalf of the charity.]

---

**Changes to legislation:** *There are currently no known outstanding effects for the Charities and Trustee Investment (Scotland) Act 2005, Cross Heading: References to charitable status. (See end of Document for details)*

---

**Annotations:**

---

**Amendments (Textual)**

- F1** S. 15(3) inserted (1.8.2010) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\)](#), **ss. 120(1)**, 134(7); [S.S.I. 2010/221](#), **art. 3(2)**, **Sch.**
- 

**Commencement Information**

- I3** S. 15 in force at 1.1.2006 for specified purposes by [S.S.I. 2005/644](#), **art. 2(1)**, **Sch. 1**
- I4** S. 15 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**

**Changes to legislation:**

There are currently no known outstanding effects for the Charities and Trustee Investment (Scotland) Act 2005, Cross Heading: References to charitable status.