



# Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

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

### CHARITIES

#### CHAPTER 3

##### CO-OPERATION AND INFORMATION

###### *Information about charities*

#### **21 Public access to Register**

- (1) OSCR must make the Register available for public inspection—
  - (a) at all reasonable times at its principal office,
  - (b) at such other places as it thinks fit, and
  - (c) otherwise as it thinks fit.
- (2) It is for OSCR to determine the form and manner in which the Register is made available; but in doing so OSCR must ensure that the information in the Register is made reasonably obtainable.
- (3) OSCR must publicise the arrangements which it makes in pursuance of subsection (1).
- (4) OSCR may charge such fee (not exceeding the cost of supply) as it thinks fit for providing information under any arrangements it makes under subsection (1)(b) and (c).

#### **Commencement Information**

- II** S. 21 in force at 24.4.2006 by [S.S.I. 2006/189](#), art. 2(2), [Sch. Pt. 2](#)

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*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) View outstanding changes

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## 22 Power of OSCR to obtain information from charities

- (1) OSCR may by notice require any charity to provide to it—
- (a) any document, or a copy of or extract from any document,
  - (b) documents of any type, or copies of or extracts from such documents,
  - (c) other information or explanation,
- which OSCR requires in relation to the charity's entry in the Register.
- (2) The notice must specify—
- (a) the documents, type of documents, copies, extracts, information or explanation which the charity is to provide to OSCR, and
  - (b) the date (which must be at least 14 days after the date on which the notice is given) by which the charity must do so.
- (3) Subsection (1) does not authorise OSCR to require the disclosure of anything which a charity would be entitled to refuse to disclose on grounds of confidentiality in proceedings in the Court of Session.

### Commencement Information

**I2** S. 22 in force at 1.4.2006 by [S.S.I. 2006/189](#), art. 2(1), [Sch. Pt. 1](#)

## 23 Entitlement to information about charities

- (1) A person who requests a charity to provide a copy of its—
- (a) constitution,
  - (b) latest statement of account prepared under section 44,
- is, if the request is reasonable, entitled to be given that copy constitution or copy statement of account (if any) by the charity in such form as the person may reasonably request.
- (2) A charity may charge such fee as it thinks fit for complying with such a request; but such a fee must not exceed the cost of supplying the document requested or, if less, any maximum fee which the Scottish Ministers may by order prescribe.
- (3) The Scottish Ministers may by order exempt from the duty set out in subsection (1) any charities which meet such criteria as may be specified in the order.

### Commencement Information

**I3** S. 23 in force at 1.1.2006 for specified purposes by [S.S.I. 2005/644](#), art. 2(1), [Sch. 1](#)

**I4** S. 23 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 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.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 1 Ch. 7A inserted by 2023 asp 5 s. 13(2)
- s. 2(1A) inserted by 2023 asp 5 sch. para. 1(2)
- s. 3(3)(aa) inserted by 2023 asp 5 s. 2(2)(a)
- s. 3(6)(c) and word inserted by 2023 asp 5 sch. para. 3(2)(b)
- s. 5(2)(aa) inserted by 2023 asp 5 s. 18(3)(a)
- s. 5(3) inserted by 2023 asp 5 sch. para. 4(2)
- s. 5(4)(5) inserted by 2023 asp 5 s. 18(3)(b)
- s. 10(3) inserted by 2023 asp 5 sch. para. 6(3)(b)
- s. 11(3A)(3B) inserted by 2023 asp 5 sch. para. 5(2)(b)
- s. 11(4)(a) words in s. 11(4) renumbered as s. 11(4)(a) by 2023 asp 5 sch. para. 5(2)(c)(i)
- s. 11(4)(b) and word inserted by 2023 asp 5 sch. para. 5(2)(c)(ii)
- s. 11(5) inserted by 2023 asp 5 sch. para. 5(2)(d)
- s. 12(2A) inserted by 2023 asp 5 sch. para. 6(4)(b)
- s. 12(3A) inserted by 2023 asp 5 sch. para. 4(3)
- s. 12(3B) inserted by 2023 asp 5 sch. para. 6(4)(d)
- s. 12(6) inserted by 2023 asp 5 sch. para. 6(4)(g)
- s. 17(1)(ba) inserted by 2023 asp 5 s. 3(2)
- s. 19(1)-(1D) substituted for s. 19(1) by 2023 asp 5 sch. para. 9(2)
- s. 23(1A) inserted by 2023 asp 5 sch. para. 10(3)
- s. 24A inserted by 2023 asp 5 sch. para. 11(3)
- s. 25(1)(ba)(bb) inserted by 2023 asp 5 sch. para. 11(4)(a)
- s. 25(3)(4) inserted by 2023 asp 5 sch. para. 11(4)(b)
- s. 28(2A) inserted by 2023 asp 5 s. 15(3)
- s. 28(4A) inserted by 2023 asp 5 s. 15(4)
- s. 29(2A) inserted by 2023 asp 5 s. 16(2)(c)
- s. 30A inserted by 2023 asp 5 s. 18(4)
- s. 30B inserted by 2023 asp 5 s. 17(3)
- s. 32(2)(a) words in s. 32(2) renumbered as s. 32(2)(a) by 2023 asp 5 s. 17(5)(a)
- s. 32(2)(a) words inserted by 2023 asp 5 s. 17(5)(b)
- s. 32(2)(b) words in s. 32(2) renumbered as s. 32(2)(b) by 2023 asp 5 s. 17(5)(c)
- s. 32(2)(b) words inserted by 2023 asp 5 s. 17(5)(d)
- s. 33(1)(a)(ib) inserted by 2023 asp 5 s. 17(7)
- s. 33(1)(a)(ia) inserted by 2023 asp 5 s. 18(5)
- s. 42(6)-(10) substituted for s. 42(6)(7) by 2023 asp 5 s. 14(2)
- s. 44(1)(ca) inserted by 2023 asp 5 s. 10(2)(a)(i)
- s. 44(2A) inserted by 2023 asp 5 sch. para. 12(3)
- s. 44(4A) inserted by 2023 asp 5 s. 10(2)(b)
- s. 45A inserted by 2023 asp 5 s. 12(4)
- s. 45B and cross-heading inserted by 2023 asp 5 s. 10(3)
- s. 48A and cross-heading inserted by 2023 asp 5 sch. para. 15(2)
- s. 52(3A)(3B) inserted by 2023 asp 5 sch. para. 16(2)
- s. 64(1) words in s. 64 renumbered as s. 64(1) by 2023 asp 5 sch. para. 18(2)(a)
- s. 64(2) inserted by 2023 asp 5 sch. para. 18(2)(b)
- s. 66A and cross-heading inserted by 2023 asp 5 s. 3(3)
- s. 69(2)(a)(ai) inserted by 2023 asp 5 s. 4(2)(a)(i)
- s. 69(2)(b)(i) words in s. 69(2)(b) renumbered as s. 69(2)(b)(i) by 2023 asp 5 s. 5(2)(a)(i)

- s. 69(2)(b)(i) words inserted by 2023 asp 5 s. 5(2)(a)(ii)
- s. 69(2)(b)(ii) inserted by 2023 asp 5 s. 5(2)(a)(iii)
- s. 69(2)(f)-(i) inserted by 2023 asp 5 s. 5(2)(d)
- s. 69(2)(da)(db) inserted by 2023 asp 5 s. 5(2)(c)
- s. 69(2A) inserted by 2023 asp 5 s. 5(3)(b)
- s. 69(3A) inserted by 2023 asp 5 s. 5(3)(c)
- s. 69(7) inserted by 2023 asp 5 s. 5(3)(e)
- s. 69A inserted by 2023 asp 5 s. 4(3)
- s. 69B inserted by 2023 asp 5 s. 6(2)
- s. 70(4)-(6) inserted by 2023 asp 5 s. 5(4)(b)
- s. 70A(5A) inserted by 2023 asp 5 s. 8(6)
- s. 70A(9) inserted by 2023 asp 5 s. 8(10)
- s. 70ZA70ZB inserted by 2023 asp 5 s. 7(3)
- s. 71(ib)(ic) inserted by 2023 asp 5 s. 18(6)
- s. 71(id) inserted by 2023 asp 5 s. 17(9)
- s. 71(mb) inserted by 2023 asp 5 s. 12(5)
- s. 71(pa) inserted by 2023 asp 5 s. 6(5)
- s. 71(pb) inserted by 2023 asp 5 s. 9(2)
- s. 71(pc) inserted by 2023 asp 5 s. 7(4)
- s. 72(2)(ba) inserted by 2023 asp 5 s. 16(3)(a)(ii)
- s. 72(2)(bb) inserted by 2023 asp 5 s. 9(3)
- s. 72(4) inserted by 2023 asp 5 s. 16(3)(b)
- s. 74(1A) inserted by 2023 asp 5 s. 9(5)
- s. 100(5A)-(5E) inserted by 2023 asp 5 sch. para. 20(2)
- s. 103(5)(ba) inserted by 2023 asp 5 s. 18(8)(b)
- s. 103(5)(bb) inserted by 2023 asp 5 s. 14(3)
- s. 103(5)(ca) inserted by 2023 asp 5 s. 5(5)
- s. 103(5)(cb) inserted by 2023 asp 5 s. 4(4)
- s. 103(5)(za) inserted by 2023 asp 5 s. 18(8)(a)