



Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

^{F1}PART 1

CHARITIES

CHAPTER 4

SUPERVISION OF CHARITIES ETC.

Inquiries

32 Suspensions and directions: procedure

- (1) A suspension under subsection (4) and a direction under any of subsections (5) to (9) of section 31—
 - (a) has effect for such period of not more than 6 months as is specified in the suspension or direction,
 - (b) may be revoked at any time,
 - (c) may be varied, but not so as to have effect for a period of more than 6 months from the date on which the suspension or direction first has effect.
- (2) Where such a suspension has been made or direction has been given, a further suspension or direction may be made or given under section 31 but the further suspension or direction ceases to have effect on the same date as the original suspension or direction (unless stated to cease to have effect earlier).
- (3) A copy of the notice given under section 72 in respect of a—
 - (a) suspension under subsection (4) of section 31, or
 - (b) direction under subsection (5)(b) or (d) or (8) of that section,must be given to the charity or body in question.
- (4) A copy of the notice given under section 72 in respect of a direction under subsection (7) or (9) of that section must be given to the person directed.

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](#)

- (5) A person who, without reasonable excuse—
- (a) contravenes a suspension under subsection (4) of section 31, or
 - (b) refuses or fails to comply with a direction under any of subsections (5) to (9) of that section,
- is guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale or imprisonment for a period not exceeding 6 months, or to both.

Commencement Information

II S. 32 in force at 1.4.2006 by [S.S.I. 2006/189](#), art. 2(1), [Sch. Pt. 1](#)

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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)