



# Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

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

### CHARITIES

#### CHAPTER 7

##### SCOTTISH CHARITABLE INCORPORATED ORGANISATIONS

###### *Conversion, amalgamation and transfer*

#### **59 Amalgamation of SCIOs**

- (1) Any 2 or more SCIOs (“the old SCIOs”) may, in accordance with this section, apply to OSCR to be amalgamated, and for a new SCIO (“the new SCIO”) to be constituted and entered in the Register as their successor.
- (2) Such an application is referred to in this section and section 60 as an “application for amalgamation”.
- (3) Subsections (2) to (4) of section 54 apply in relation to an application for amalgamation as they apply to an application for a SCIO to be constituted, but with references to the SCIO being read as references to the new SCIO (but sections 4 and 5 do not apply in relation to an application for amalgamation).
- (4) In addition to the documents and information referred to in section 54(2), the application for amalgamation must be accompanied by—
  - (a) a copy of a resolution of each of the old SCIOs approving the proposed amalgamation, and
  - (b) a copy of a resolution of each of the old SCIOs adopting the proposed constitution of the new SCIO.
- (5) The resolutions must be passed—

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**Changes to legislation:** There are currently no known outstanding effects for the Charities and Trustee Investment (Scotland) Act 2005, Section 59. (See end of Document for details)

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- (a) by a two-thirds majority of those voting at a general meeting of the SCIO (including those voting by proxy or by post, if voting that way is permitted), or
- (b) unanimously by the SCIO's members, otherwise than at a general meeting.

**Annotations:**

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**Commencement Information**

**II** S. 59 in force at 1.1.2012 by S.S.I. 2011/20, art. 2(4)(d)

**Changes to legislation:**

There are currently no known outstanding effects for the Charities and Trustee Investment (Scotland) Act 2005, Section 59.