



# Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

## PART 4

### GENERAL AND SUPPLEMENTARY

#### 99 Population of Register etc.

- (1) OSCR must enter in the Register each body which was, immediately prior to the commencement of paragraph 7(a)(ii) of Schedule 4 to this Act, entitled by virtue of section 1(7) of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (c. 40) to describe itself as a “Scottish charity”.
- (2) Subsection (1) does not affect OSCR's power to remove a charity from the Register under section 30.
- (3) The Scottish Ministers may by order—
  - (a) disapply section 3(3) in so far as it would otherwise apply to any body entered in the Register under subsection (1) for such period ending no later than 18 months after the commencement of this section as may be specified in the order,
  - (b) provide—
    - (i) that any unregistered charitable body (or any such body of a particular type) may, despite any contrary provision in this Act, refer to itself as a “charity” for such period ending no later than 12 months after the commencement of this section as may be so specified, and
    - (ii) that any provision of this Act or of any other enactment is to apply (with such modifications, if any, as may be so specified) to any such body as if it were entered in the Register for so long as it refers to itself as a “charity”.
- (4) In subsection (3), “unregistered charitable body” means a body which—
  - (a) is established under the law of a country or territory other than Scotland,
  - (b) is entitled to refer to itself as a “charity” (by any means or in any language) in that country or territory, and

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**Changes to legislation:** There are currently no known outstanding effects for the Charities and Trustee Investment (Scotland) Act 2005, Section 99. (See end of Document for details)

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(c) does not require to be entered in the Register under subsection (1).

**Annotations:**

**Commencement Information**

**I1** S. 99(1)(2) in force at 1.4.2006 by [S.S.I. 2006/189](#), [art. 2\(1\)](#), [Sch. Pt. 1](#)

**I2** S. 99(3)(4) in force at 24.2.2006 by [S.S.I. 2006/74](#), [art. 2\(d\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Charities and Trustee Investment (Scotland) Act 2005, Section 99.