

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Charities (Regulation and Administration) (Scotland) Act 2023, Paragraph 5. (See end of Document for details)

PROSPECTIVE

SCHEDULE FURTHER MODIFICATION OF THE 2005 ACT

Change of name: delaying decision or granting or refusing consent

- 5 (1) The 2005 Act is modified as follows.
- (2) In section 11 (change of name)—
- (a) in subsection (3)—
- (i) for “, directs the charity not to change its name,” substitute “—
- (a) refuses its consent, or
- (b) directs the charity not to change its name to that proposed new name for a period of not more than 6 months specified in the direction,”
- (ii) the words “OSCR is to be taken as having given its consent.” become the closing words,
- (b) after subsection (3), insert—
- “(3A) A direction under subsection (3)(b)—
- (a) may be revoked at any time,
- (b) may be varied, but not so as to have effect for a period of more than 6 months from the date on which it is given.
- (3B) Where OSCR gives such a direction it must, after making such inquiries as it thinks fit—
- (a) give its consent, whether or not subject to conditions, or
- (b) refuse its consent.”
- (c) in subsection (4)—
- (i) the words “it considers that the proposed new name falls within section 10” become paragraph (a),
- (ii) after paragraph (a) (as formed), insert “, or
- (b) it is unable, after making reasonable inquiries, to satisfy itself that the proposed new name does not fall within section 10.”
- (d) after subsection (4), insert—
- “(5) OSCR may, at the request of a charity, grant consent to a different proposed new name than that specified by the charity in the notice given by it under subsection (2).”
- (3) In section 71 (decisions), for paragraph (c) substitute—
- “(c) refuse to consent to a charity changing name under section 11,”.

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Commencement Information

II Sch. para. 5 not in force at Royal Assent, see [s. 21\(2\)](#)

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