



Charities (Regulation and Administration) (Scotland) Act 2023

2023 asp 5

Inquiries

15 Inquiries about former charities etc.

- (1) Section 28 (inquiries about charities etc.) of the 2005 Act is modified as follows.
- (2) In subsection (1), in paragraph (e), for the words from “which” to the end substitute “as a charity despite that body not being entered in the Register,”.
- (3) After subsection (2), insert—

“(2A) It does not matter whether a charity, body or person continues to fall within a paragraph of subsection (1), or continues to exist, for OSCR to be able to make inquiries under that subsection (but see subsection (4A)).”.
- (4) After subsection (4), insert—

“(4A) Where inquiries are made by virtue of subsection (2A) into a charity, body or person which no longer falls within a paragraph of subsection (1)—

 - (a) the inquiries must relate to the period or periods in which the charity, body or person fell within one or more paragraphs of subsection (1), and
 - (b) no direction may be given under subsection (3), unless the inquiries or, as the case may be, the direction relates to the application of protected charitable assets (see section 19).”.