
Status: Point in time view as at 01/08/2010.

Changes to legislation: Charities and Trustee Investment (Scotland) Act 2005, Cross Heading: References to charitable status is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

PART 1

CHARITIES

CHAPTER 2

SCOTTISH CHARITY REGISTER

References to charitable status

13 References to charitable status

- (1) A body entered in the Register may refer to itself as a “charity”, a “charitable body”, a “registered charity” or a “charity registered in Scotland”.
- (2) If such a body is established under the law of Scotland, or is managed or controlled wholly or mainly in or from Scotland, it may also refer to itself as a “Scottish charity” or a “registered Scottish charity”.
- (3) A body which refers to itself in any of the ways described in subsection (1) is to be treated as representing itself as a body entered in the Register.
- (4) A body which refers to itself in any of the ways described in subsection (2) is to be treated as representing itself—
 - (a) as a body entered in the Register, and
 - (b) as being established under the law of Scotland or managed or controlled wholly or mainly in or from Scotland.

Commencement Information

II S. 13 in force at 1.4.2006 by S.S.I. 2006/189, art. 2(1), Sch. Pt. 1

Status: Point in time view as at 01/08/2010.

Changes to legislation: Charities and Trustee Investment (Scotland) Act 2005, Cross Heading: References to charitable status is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

14 Exception for certain bodies not in Register

A body which is not entered in the Register may, despite section 13, refer to itself as a “charity” without being treated as representing itself as a charity if, and only if—

- (a) it is—
 - (i) established under the law of a country or territory other than Scotland,
 - (ii) entitled to refer to itself as a “charity” (by any means or in any language) in that country or territory, and
 - (iii) managed or controlled wholly or mainly outwith Scotland,
- (b) it does not—
 - (i) occupy any land or premises in Scotland, or
 - (ii) carry out activities in any office, shop or similar premises in Scotland, and
- (c) in making that reference, it also refers to being established under the law of a country or territory other than Scotland.

Commencement Information

I2 S. 14 in force at 1.4.2006 by S.S.I. 2006/189, art. 2(1), Sch. Pt. 1

15 References in documents

- (1) The Scottish Ministers may by regulations require each body entered in the Register to state, in legible characters—
 - (a) that it is a charity,
 - (b) such other information as may be specified in the regulations,
 on such documents issued or signed on behalf of the charity as may be so specified.
- (2) Such regulations may—
 - (a) exempt charities, or charities of a particular type, from any of the requirements imposed by the regulations,
 - (b) provide that any statement required by them may, in the case of documents which are otherwise wholly or mainly in a language other than English, be made in that other language.
- [^{F1}(3) For the purposes of this section, a reference to a document issued or signed on behalf of the charity includes a reference to a web page on a website operated by or on behalf of the charity.]

Textual Amendments

F1 S. 15(3) inserted (1.8.2010) by Public Services Reform (Scotland) Act 2010 (asp 8), ss. 120(1), 134(7); S.S.I. 2010/221, art. 3(2), Sch.

Commencement Information

I3 S. 15 in force at 1.1.2006 for specified purposes by S.S.I. 2005/644, art. 2(1), Sch. 1

I4 S. 15 in force at 24.4.2006 in so far as not already in force by S.S.I. 2006/189, art. 2(2), Sch. Pt. 2

Status:

Point in time view as at 01/08/2010.

Changes to legislation:

Charities and Trustee Investment (Scotland) Act 2005, Cross Heading: References to charitable status is up to date with all changes known to be in force on or before 29 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.