

Status: This version of this schedule contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for the
 Charities Act (Northern Ireland) 2008, SCHEDULE 8. (See end of Document for details)

SCHEDULES

SCHEDULE 8

Section 183.

MINOR AND CONSEQUENTIAL AMENDMENTS

PROSPECTIVE

The Police, Factories, &c. (Miscellaneous Provisions) Act 1916 (c. 31)

1.—(1) Section 5 of the Police, Factories, &c. (Miscellaneous Provisions) Act 1916 (regulation of street collections) is amended as follows.

(2) In subsection (1) for “the benefit of charitable or other purposes,” substitute “any purposes in circumstances not involving the making of a charitable appeal,”.

(3) In paragraph (b) of the proviso to subsection (1) omit the words from “, and no representation” onwards.

(4) In subsection (4) before the definition of “street” insert—
 ““charitable appeal” has the same meaning as in Part 13 of the Charities Act (Northern Ireland) 2008;”.

PROSPECTIVE

The Industrial and Provident Societies Act (Northern Ireland) 1969 (c. 24)

2 In section 38A(6) (power of registered societies to disapply section 38), for “the Charities Act (Northern Ireland) 1964 (c. 33)” substitute “ the Charities Act (Northern Ireland) 2008 ”.

PROSPECTIVE

The Administration of Estates (Northern Ireland) Order 1979 (NI 14)

3 In Article 9 (grant of representation to trust corporation) in paragraph (4)(a) after “High Court” insert “ or the Charity Commission for Northern Ireland ”.

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PROSPECTIVE

The Education and Libraries (Northern Ireland) Order 1986 (NI 3)

4 In Article 90(7) (teachers' residences provided, etc. by statutory loan prior to 1st February 1922)—

- (a) in sub-paragraph (a), for “under section 18 of the Charities Act (Northern Ireland) 1964” substitute “ by an order under section 57 of the Charities Act (Northern Ireland) 2008 ”, and
- (b) in sub-paragraph (b), for “section 13 of that Act” substitute “ section 29 of that Act ”.

PROSPECTIVE

The Companies (Northern Ireland) Order 1986 (NI 6)

5 In Article 217(10)(a) (interests to be disregarded), after “under” insert “ section 43 or 44 of the Charities Act (Northern Ireland) 2008, ”.

6 In Schedule 13 (provisions supplementing and interpreting Articles 332 to 336), in paragraph 11(1)(b), after “under” insert “ section 43 or 44 of the Charities Act (Northern Ireland) 2008, ”.

PROSPECTIVE

The Street Trading Act (Northern Ireland) 2001 (c. 8)

7.—(1) Section 2(1) (activities which are not street trading) is amended as follows.

(2) In paragraph (d), omit sub-paragraph (ii) and the word “or” immediately preceding it.

(3) After that paragraph insert—

- “(dd) conducting a public charitable collection that—
 - (i) is conducted in accordance with section 134 or 135 of the Charities Act (Northern Ireland) 2008, or
 - (ii) is an exempt collection by virtue of section 136 of that Act;”.

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The Trustee Act (Northern Ireland) 2001 (c. 14)

8 In section 43(1) (interpretation), in the definition of “charitable trust”, for “the Charities Act (Northern Ireland) 1964 (c. 33)” substitute “ the Charities Act (Northern Ireland) 2008 ”.

Commencement Information

II Sch. 8 para. 8 in operation at 24.6.2013 for specified purposes by [S.R. 2013/145](#), [art. 2](#), [Sch.](#)

The Criminal Justice and Police Act 2001 (c. 16)

9 In Schedule 1 (powers of seizure to which section 50 applies), at the end of Part 1 insert—

“Charities Act (Northern Ireland) 2008

73H The power of seizure conferred by section 52(3) of the Charities Act (Northern Ireland) 2008 (seizure of material for the purposes of an inquiry under section 22 of that Act).”.

Modifications etc. (not altering text)

C1 Sch. 8 para. 9 modified (18.2.2011) by [Charities Act 2008 \(Transitional Provision\) Order \(Northern Ireland\) 2011 \(S.R. 2011/12\)](#), [art. 2](#), [Sch.](#)

The Housing (Northern Ireland) Order 2003 (NI 2)

10 In Article 119(6) (religious denominations, charities, &c.) for “the Charities Act (Northern Ireland) 1964” substitute “ the Charities Act (Northern Ireland) 2008 ”.

Commencement Information

I2 Sch. 8 para. 10 in operation at 24.6.2013 by [S.R. 2013/145](#), [art. 2](#), [Sch.](#)

*The Companies (Audit, Investigations and
Community Enterprise) Act 2004 (c. 27)*

11 In section 63(1) (interpretation), for the definition of “Northern Ireland charity” substitute—

““Northern Ireland charity” means a charity within the meaning of the Charities Act (Northern Ireland) 2008 (see section 1 of that Act);”.

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Commencement Information

I3 Sch. 8 para. 11 in operation at 24.6.2013 by S.R. 2013/145, art. 2, Sch.

The Pensions (Northern Ireland) Order 2005 (NI 1)

12 In Schedule 3 (disclosure for facilitating discharge of functions by other supervising authorities)—

- (a) in the entry relating to the Department, omit the words “the Charities Act (Northern Ireland) 1964 (c. 33)”; and
- (b) at the end add—

“The Charity Commission for
Northern Ireland.

Functions under the Charities Act
(Northern Ireland) 2008.”.

Commencement Information

I4 Sch. 8 para. 12(b) in operation at 24.6.2013 by S.R. 2013/145, art. 2, Sch.

The Companies Act 2006 (c. 46)

13.—(1) In section 21(2)(b) for “Article 9 of the Charities (Northern Ireland) Order 1987 (SI 1987/2048 (N.I.19))” substitute “ section 96 of the Charities Act (Northern Ireland) 2008 ”.

(2) In section 31(4)(b) for “Article 9 of the Charities (Northern Ireland) Order 1987 (SI 1987/2048 (N.I.19))” substitute “ section 96 of the Charities Act (Northern Ireland) 2008 ”.

(3) In section 1140(2)(c)(ii) after “Charities Act 1993 (c. 10)” insert “ or section 33 of Charities Act (Northern Ireland) 2008 ”.

(4) In section 1154(1)(b) after “Charities Act 1993 (c. 10)” insert “ or section 33 of the Charities Act (Northern Ireland) 2008 ”.

(5) In section 1154(2) after paragraph (b) insert—

“(bb) in the case of appointment of a receiver or manager under section 33 of the Charities Act (Northern Ireland) 2008, by the Charity Commission for Northern Ireland;”.

(6) In Schedule 1, in paragraph 6(4) after “Charities Act 1993 (c. 10)” insert “ , section 44 or 45 of the Charities Act (Northern Ireland) 2008 ”.

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Modifications etc. (not altering text)

- C2** Sch. 8 para. 13(3)(4)(5) modified (18.2.2011) by Charities Act 2008 (Transitional Provision) Order (Northern Ireland) 2011 (S.R. 2011/12), **art. 2**, Sch.

Commencement Information

- I5** Sch. 8 para. 13 partly in operation; Sch. 8 para. 13 not in operation at Royal Assent see s. 185(1); Sch. 8 para. 13(3)(4)(5) in operation at 18.2.2011 by S.R. 2011/11, **art. 2**, Sch.
- I6** Sch. 8 para. 13(1)(2) in operation at 24.6.2013 by S.R. 2013/145, art. 2, **Sch.**

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