Changes to legislation: *Charities Act 2011, Cross Heading: Official custodian as successor to official trustee of charity lands and official trustees of charity funds is up to date with all changes known to be in force on or before 23 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) View outstanding changes*

SCHEDULES

SCHEDULE 8

TRANSITIONALS AND SAVINGS

PART 3

MISCELLANEOUS

Official custodian as successor to official trustee of charity lands and official trustees of charity funds

18 (1) Despite the repeal by this Act of paragraph 26 of Schedule 10 to the Charities Act 2006, the official custodian for charities is to continue to be treated as the successor for all purposes both of the official trustee of charity lands and of the official trustees of charitable funds as if—

(a) the functions of the official trustee or trustees had been functions of the official custodian, and

(b) the official trustee or trustees had been, and had discharged the functions of the official trustee or trustees as, holder of the office of the official custodian.

(2) Despite the repeal of paragraph 26 of that Schedule (and without affecting the generality of sub-paragraph (1))—

(a) any property which immediately before the commencement of that repeal was, by virtue of paragraph 26(2) of that Schedule, held by the official custodian continues to be so held, as if vested in the official custodian under section 90, and

(b) any enactment or document referring to the official trustee or trustees mentioned above continues to have effect, so far as the context permits, as if the official custodian had been mentioned instead.

Changes to legislation:
Charities Act 2011, Cross Heading: Official custodian as successor to official trustee of charity lands and official trustees of charity funds is up to date with all changes known to be in force on or before 23 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.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 106(1)-(1B) substituted for s. 106(1) by 2022 c. 6 s. 16(a)
- s. 322(2)(ea) inserted by 2022 c. 6 Sch. 2 para. 26
- s. 331A331B and cross-heading inserted by 2022 c. 6 s. 15