

2007 No. 3286 (C. 135)

CHARITIES

The Charities Act 2006 (Commencement No. 2, Transitional Provisions and Savings) Order 2007

Made - - - - - *18th November 2007*

Laid before Parliament *20th November 2007*

The Minister for the Cabinet Office makes the following Order in exercise of the powers conferred by section 79(2) and (3) of the Charities Act 2006(a):

Citation and interpretation

1.—(1) This Order may be cited as the Charities Act 2006 (Commencement No. 2, Transitional Provisions and Savings) Order 2007.

(2) In this Order “the 2006 Act” means the Charities Act 2006.

Commencement

2. The day appointed for the commencement of the provisions of the 2006 Act specified in Column 1 of Schedule 1 is 28th November 2007 except—

- (a) where a particular purpose is specified in Column 3 of that Schedule in relation to any such provision, the relevant provision comes into force on that date for that particular purpose only;
- (b) where any other limitation is specified in Column 3 of that Schedule in relation to any such provision, the relevant provision comes into force on that date subject to the specified limitation.

3. Subject to article 4, the day appointed for the commencement of the provisions of the 2006 Act specified in Column 1 of Schedule 2 is 1st April 2008 except—

- (a) where a particular purpose is specified in Column 3 of that Schedule in relation to any such provision, the relevant provision comes into force on that date for that particular purpose only;
- (b) where any other limitation is specified in Column 3 of that Schedule in relation to any such provision, the relevant provision comes into force on that date subject to the specified limitation.

Savings in relation to provisions of the 2006 Act commenced by article 3

4.—(1) The specified provisions apply in relation to any solicitation which is made on or after 1st April 2008 by a person to whom section 60A(6) of the 1992 Act applies.

- (2) The specified provisions are the following paragraphs of section 60A of the 1992 Act—
- (a) paragraph (4);
 - (b) paragraph (5); and
 - (c) paragraphs (8) to (10).

Phil Hope

Parliamentary Secretary
Cabinet Office

18th November 2007

SCHEDULE 1

Article 2

PROVISIONS COMING INTO FORCE ON 28th NOVEMBER 2007

<i>Provision(s) of the 2006 Act</i>	<i>Subject matter of provisions</i>	<i>Particular purpose or other limitation</i>
section 44	Mergers	Save in so far as it inserts section 75C(11) into the 1993 Act.
section 75(2) and (3)	Amendments, repeals, revocations and transitional provisions	In so far as they relate to the provisions of Schedules 9 and 10 commenced by article 2 of this Order.
Schedule 9	Repeals	In so far as it repeals regulation 6(11)(a) of the Intervention Board for Agricultural Produce (Abolition) Regulations 2001 (S.I. 2001/3686).
Schedule 10, paragraph 14	Transitional provisions and savings	

SCHEDULE 2

Article 3

PROVISIONS COMING INTO FORCE ON 1ST APRIL 2008

<i>Provision(s) of the 2006 Act</i>	<i>Subject matter of provisions</i>	<i>Particular purpose or other limitation</i>
section 45(2) – (6)	Regulation of “public charitable collections”	For the purposes of the definition of “professional fund-raiser” in Part 2 of the 1992 Act (as amended by paragraph 90(3) of Schedule 8 to the 2006 Act) and of section 60A of the 1992 Act to the extent that that section is

section 46	Charitable appeals that are not public charitable collections	brought into force by article 3 of this Order only. For the purposes of section 45 of the 2006 Act in so far as that section is brought into force by article 3 of this Order only.
section 47(1)	Definitions for the purposes of Chapter 1 of Part 3 of the 2006 Act	For the purposes of the definition of “professional fund-raiser” in Part 2 of the 1992 Act (as amended by paragraph 90(3) of Schedule 8 to the 2006 Act) and of section 60A of the 1992 Act to the extent that that section is brought into force by article 3 of this Order, the definitions of: “collector”, “proceeds” and “promoter” only.
section 67	Statements indicating benefits for charitable institutions and fund-raisers	
section 68	Statements indicating benefits for charitable institutions and collectors	In so far as it inserts section 60A(4) – (7), (8)(other than paragraph (a)), (9) and (10) (other than the definition of “public charitable collection”) and section 60B(4) and (5) into the 1992 Act.
section 75(1) and (3)		In so far as they relate to the provisions of Schedules 8 and 10 commenced by article 3 of this Order.
Schedule 8, paragraph 90(1) and (3)	Minor and consequential amendments	
Schedule 10, paragraph 15	Transitional provisions and savings	

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force provisions of the Charities Act 2006. The provisions specified in Schedule 1 to this Order are brought into force (in certain cases only for specific purposes) on 28th November 2007. The provisions specified in Schedule 2 to this Order are brought into force on 1st April 2008 (in certain cases only for specific purposes), subject to savings provisions.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by a commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.2 (partially)	27.02.2007	S.I. 2007/309
s.3 (partially)	27.02.2007	S.I. 2007/309
s.4 (partially)	27.02.2007	S.I. 2007/309
s.6	27.02.2007	S.I. 2007/309
s.7 (partially)	27.02.2007	S.I. 2007/309
s.8 (partially)	27.02.2007	S.I. 2007/309
s.9 (partially)	27.02.2007	S.I. 2007/309
s.10	27.02.2007	S.I. 2007/309
s.11 (partially)	27.02.2007	S.I. 2007/309
s.17 (partially)	27.02.2007	S.I. 2007/309
ss. 22 to 28	27.02.2007	S.I. 2007/309
s.30 (partially)	27.02.2007	S.I. 2007/309
s.32	27.02.2007	S.I. 2007/309
s.34 (partially)	27.02.2007	S.I. 2007/309
s.35	27.02.2007	S.I. 2007/309
s.38 (partially)	27.02.2007	S.I. 2007/309
s.39	27.02.2007	S.I. 2007/309
s.42	27.02.2007	S.I. 2007/309
s.68 (partially)	27.02.2007	S.I. 2007/309
s.69	27.02.2007	S.I. 2007/309
s.70	01.04.2007	S.I. 2007/309
s.71	27.02.2007	S.I. 2007/309
s.72	27.02.2007	S.I. 2007/309
s.75 (partially)	27.02.2007	S.I. 2007/309
s.76	27.02.2007	S.I. 2007/309
Schedules 1 and 2	27.02.2007	S.I. 2007/309
Schedule 4 (partially)	27.02.2007	S.I. 2007/309
Schedule 6 (partially)	27.02.2007	S.I. 2007/309
Schedule 7 (partially)	27.02.2007	S.I. 2007/309
Schedule 8 (partially)	27.02.2007	S.I. 2007/309
Schedule 9 (partially)	27.02.2007	S.I. 2007/309
Schedule 10 (partially)	27.02.2007	S.I. 2007/309

£3.00

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E1597 11/2007 171597 19585

