

2009 No. 841 (C.55)

CHARITIES, ENGLAND AND WALES

The Charities Act 2006 (Commencement No. 4, Transitional Provisions and Savings) (Amendment) Order 2009

Made - - - -

30th March 2009

The Minister for the Cabinet Office makes the following Order in exercise of the powers conferred by sections 78(6) and 79(2) and (3) of the Charities Act 2006(a):

Citation and interpretation

1. This Order may be cited as the Charities Act 2006 (Commencement No. 4, Transitional Provisions and Savings) (Amendment) Order 2009.

Amendment of the Charities Act 2006 (Commencement No.4, Transitional Provisions and Savings) Order 2008

2.—(1) The Charities Act 2006 (Commencement No.4, Transitional Provisions and Savings) Order 2008(b) is amended as follows.

(2) After article 2, insert—

“**2A.** Subject to article 10, the day appointed for the commencement of the provisions of the 2006 Act specified in Column 1 of Schedule 1A is 1st April 2010 except that—

- (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 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) In article 3, for “Subject to articles 10 and 11”, substitute “Subject to article 11”.

(4) In the heading preceding article 10 after “1st April 2009”, insert “and 1st April 2010”.

(5) In article 10 for “1st April 2009, where it appears, substitute “1st April 2010”.

(6) After Schedule 1, insert—

“SCHEDULE 1A

Article 2A

PROVISIONS OF THE 2006 ACT COMING INTO FORCE ON
1ST APRIL 2010

<i>Provision</i>	<i>Subject matter of provision</i>	<i>Particular purpose or other limitation</i>
section 5(1)	Special provisions about recreational charities, sports clubs etc.	For all remaining purposes
section 5(3)	Special provisions about recreational charities, sports clubs etc.	
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 to 2006 Act commenced by article 2A of this Order
Schedule 9	Repeals and revocations	Only the entry relating to section 2 of the Recreational Charities Act 1958 (c.17)
Schedule 10, paragraph 2	Transitional provisions and savings”.	

(7) In Schedule 2—

- (a) omit the entry relating to section 5(1);
- (b) for “section 5(3) to (5)” substitute “section 5(4) and (5)”; and
- (c) omit the entries relating to—
 - (i) section 75(2) and (3);
 - (ii) Schedule 9; and
 - (iii) Schedule 10.

30th March 2009

Kevin Brennan
Parliamentary Secretary
Cabinet Office

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Charities Act 2006 (Commencement No.4, Transitional Provisions and Savings) Order 2008 (S.I. 2008/945 (C.46)). The effect of the amendments is to change the date on which section 5(3) of the Charities Act 2006 and various related provisions are to come into force, subject to transitional provisions and savings. These provisions of the 2006 Act will now come into force on 1st April 2010, rather than 1st April 2009.

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. This table takes account of the made amendments by this Order to the Charities Act 2006 (Commencement No.4, Transitional Provisions and Savings) Order 2008.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
s.1	01.04.2008	S.I. 2008/945
s.2:		
partially	27.02.2007	S.I. 2007/309
for all remaining purposes	01.04.2008	S.I. 2008/945
s.3:		
partially	27.02.2007	S.I. 2007/309
for all remaining purposes	01.04.2008	S.I. 2008/945
s.4:		
partially	27.02.2007	S.I. 2007/309
for all remaining purposes	01.04.2008	S.I. 2008/945
s5:		
partially	01.04.2008	S.I. 2008/945
partially	01.04.2009	S.I. 2008/945
for all remaining purposes	01.04.2010	S.I. 2008/945
s.6	27.02.2007	S.I. 2007/309
s.7:		
partially	27.02.2007	S.I. 2007/309
for all remaining purposes	18.03.2008	S.I. 2008/751
s.8:		
partially	27.02.2007	S.I. 2007/309
for all remaining purposes	18.03.2008	S.I. 2008/751
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
partially	31.01.2009	S.I. 2008/3267
ss. 15 and 16	18.03.2008	S.I. 2008/751
s.17:		
partially	27.02.2007	S.I. 2007/309
for all remaining purposes	18.03.2008	S.I. 2008/751
ss. 18 to 21	18.03.2008	S.I. 2008/751
ss. 22 to 28	27.02.2007	S.I. 2007/309
s29 (partially)	01.04.2008	S.I. 2008/945
s.30:		
partially	27.02.2007	S.I. 2007/309
for all remaining purposes	01.04.2008	S.I. 2008/945
s. 31	18.03.2008	S.I. 2008/751
s.32	27.02.2007	S.I. 2007/309
s.33	01.04.2008	S.I. 2008/945
s.34 (partially)	27.02.2007	S.I. 2007/309
s.35	27.02.2007	S.I. 2007/309
ss. 36 and 37	18.03.2008	S.I. 2008/751
s.38:		
partially	27.02.2007	S.I. 2007/309
partially	01.04.2008	S.I. 2008/945
s.39	27.02.2007	S.I. 2007/309
ss. 40 and 41	18.03.2008	S.I. 2008/751

s.42	27.02.2007	S.I. 2007/309
s.43	18.03.2008	S.I. 2008/751
s.44	28.11.2007	S.I. 2007/3286
s.45 (partially)	01.04.2008	S.I. 2007/3286
s.46	01.04.2008	S.I. 2007/3286
s.47 (partially)	01.04.2008	S.I. 2007/3286
s.67	01.04.2008	S.I. 2007/3286
s.68:		
partially	27.02.2007	S.I. 2007/309
partially	01.04.2008	S.I. 2007/3286
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.73	31.01.2009	S.I. 2008/3267
s.75:		
partially	27.02.2007	S.I. 2007/309
partially	28.11.2007	S.I. 2007/3286
partially	01.04.2008	S.I. 2007/3286
partially	18.03.2008	S.I. 2008/751
partially	01.04.2008	S.I. 2008/945
partially	01.04.2009	S.I. 2008/945
partially	31.01.2009	S.I. 2008/3267
partially	01.04.2010	S.I. 2008/945
s.76	27.02.2007	S.I. 2007/309
Schedules 1 and 2	27.02.2007	S.I. 2007/309
Schedule 3	18.03.2008	S.I. 2008/751
Schedule 4:		
partially	27.02.2007	S.I. 2007/309
partially	18.03.2008	S.I. 2008/751
partially	31.01.2009	S.I. 2008/3267
Schedule 6:		
partially	27.02.2007	S.I. 2007/309
for all remaining purposes	01.04.2008	S.I. 2008/945
Schedule 7 (partially)	27.02.2007	S.I. 2007/309
Schedule 8:		
partially	27.02.2007	S.I. 2007/309
partially	18.03.2008	S.I. 2008/751
partially	01.04.2008	S.I. 2007/3286 and S.I. 2008/945
partially	31.01.2009	S.I. 2008/3267
Schedule 9:		
partially	27.02.2007	S.I. 2007/309
partially	28.11.2007	S.I. 2007/3286
partially	18.03.2008	S.I. 2008/751
partially	01.04.2008	S.I. 2008/945
partially	01.04.2009	S.I. 2008/945
partially	31.01.2009	S.I. 2008/3267
partially	01.04.2010	S.I. 2008/945
Schedule 10:		
partially	27.02.2007	S.I. 2007/309
partially	28.11.2007	S.I. 2007/3286
partially	18.03.2008	S.I. 2008/751

partially	01.04.2008	S.I. 2007/3286 and S.I. 2008/945
partially	01.04.2009	S.I. 2008/945
partially	31.01.2009	S.I. 2008/3267
partially	01.04.2010	S.I. 2008/945

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STATUTORY INSTRUMENTS

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