SCHEDULE 2

Regulation 3

TRANSITIONAL PROVISIONS AND SAVINGS

Inquiries under section 46 of the Act

1.—(1) Subject to sub-paragraph (2), the Commission must not institute any inquiry under section 46 on or after 1st September 2013—

(a) in relation to a specified exempt charity and in respect of any period beginning before that day; or

(b) which covers any period beginning before that day and would extend to a specified exempt charity.

(2) The Commission may, if—

(a) a request is made by the principal regulator of a specified exempt charity; and

(b) it considers it appropriate to do so,

institute an inquiry under section 46 of the Act on or after 1st September 2013 into that charity in respect of a relevant matter.

(3) For the purposes of this paragraph a matter is a relevant matter if—

(a) it initially arose before 1st September 2013 but during the current financial year of the charity; and

(b) the Commission was not aware of it before that day.

(4) In this paragraph—

"current financial year" means, in relation to a charity, a financial year—

(a) which began before 1st September 2013; but

(b) ends on or after that day.

Costs in promoting a Bill before Parliament

2. Where immediately before 1st September 2013 a specified exempt charity was preparing or promoting a Bill in Parliament, section 74 of the Act does not apply in respect of any expenditure incurred by that charity on or after that day in the preparation or promotion of that Bill.

Ongoing charity proceedings

3. Any charity proceedings—

(a) relating to a specified exempt charity; and

(b) taken before 1st September 2013,

continue on or after that day as if they had been authorised by the Commission.

Persons acting as charity trustee or trustee while disqualified

4.—(1) The Commission may not make any order under section 184(3) of the Act which would require a person ("P") to—

(a) repay to a specified exempt charity the whole or part of any relevant sum received by P by way of remuneration or expenses; or

(b) pay to that charity the whole or part of the monetary value of any relevant benefit in kind received by P.

(2) For the purposes of this paragraph—

(a) a sum by way of remuneration or expenses or a benefit in kind received by P is a relevant sum or benefit in kind if it is received by P in connection with P's acting as a charity trustee of or trustee for the specified exempt charity at any time—

(i) before 1st September 2013; and

(ii) when P was disqualified by section 178 of the Act from acting as such a trustee; and

(b) it does not matter whether the sum or benefit is received by P before, on or after 1st September 2013.