

*Draft Order laid before the Scottish Parliament under section 103(5)(a) and (b) of the Charities and Trustee Investment (Scotland) Act 2005 for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2015 No.**

**CHARITIES**

**The Charity Test (Specified Bodies) and the  
Protection of Charities Assets (Exemption)  
(Scotland) Amendment Order 2015**

<i>Made</i>	- - - -	<i>2015</i>
<i>Coming into force</i>	- -	<i>2015</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by sections 7(5) and 19(8) and (9) of the Charities and Trustee Investment (Scotland) Act 2005(1) and all other powers enabling them to do so.

In accordance with section 103(5)(a) and (b) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

**1.**—(1) This Order may be cited as the Charity Test (Specified Bodies) and the Protection of Charities Assets (Exemption) (Scotland) Amendment Order 2015.

(2) This Order comes into force on 1st April 2015.

**Amendment of the Charity Test (Specified Bodies) (Scotland) Order 2006**

**2.** In the Schedule to the Charity Test (Specified Bodies) (Scotland) Order 2006(2) (specified bodies), before “(a) The National Galleries of Scotland;” insert “(za) Historic Environment Scotland;”.

**Amendment of the Protection of Charities Assets (Exemption) (Scotland) Order 2006**

**3.** In Part 1 of the Schedule to the Protection of Charities Assets (Exemption) (Scotland) Order 2006(3) (non-departmental public bodies), after “The General Teaching Council for Scotland” insert “Historic Environment Scotland”.

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(1) 2005 asp 10.

(2) S.S.I. 2006/219.

(3) S.S.I. 2006/220, to which there are amendments not relevant to this instrument.

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**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: *The Charity Test (Specified Bodies) and the Protection of Charities Assets (Exemption) (Scotland) Amendment Order 2015 No. 148*

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St Andrew's House,  
Edinburgh  
Date

*Name*  
A member of the Scottish Government

## EXPLANATORY NOTE

*(This note is not part of the Order)*

The Charity Test (Specified Bodies) (Scotland) Order 2006 disapplies section 7(4)(a) and (b) of the Charities and Trustee Investment (Scotland) Act 2005 (“the 2005 Act”) in relation to the bodies specified in its Schedule. Article 2 adds Historic Environment Scotland to the list of specified bodies. The Protection of Charities Assets (Exemption) (Scotland) Order 2006 (“the 2006 Order”) disapplies section 19(1) to (7) of the 2005 Act in relation to the property owned by the bodies listed in the Schedule to the 2006 Order. Article 3 adds Historic Environment Scotland to the list in that Schedule.