

SCHEDULE 2

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

PART 2

JURISDICTION OF THE CHARITY COMMISSION AND THE COURT

Inquiries under section 8 of the 1993 Act in relation to relevant charities

5.—(1) Subject to sub-paragraphs (2) and (3), the Commission must not instigate any inquiry under section 8 of the 1993 Act (“section 8 inquiry”) on or after the appointed day—

- (a) in relation to one or more relevant charities and in respect of any period beginning before that day; or
- (b) which covers any period beginning before the appointed day and would extend to one or more relevant charities.

(2) The Commission may, if it considers it appropriate to do so, instigate a section 8 inquiry on or after the appointed day into a section 11 charity in respect of a relevant matter which it becomes aware of on or after the appointed day.

(3) The Commission may, if it considers it appropriate to do so, instigate a section 8 inquiry on or after the appointed day into a specified exempt charity in respect of a relevant matter if—

- (a) subject to sub-paragraph (4), a request is made by the principal regulator of the charity under this sub-paragraph; and
- (b) the Commission was not aware before the appointed day of the matter to which the request relates.

(4) A principal regulator may only make a request under sub-paragraph (3) in respect of a relevant matter which it becomes aware of on or after the appointed day.

(5) For the purpose of this paragraph “relevant matter” means a matter arising in relation to a charity—

- (a) before the appointed day; but
- (b) during the current financial year of that charity.