

EXPLANATORY NOTE

(This note is not part of the Order)

By this Order, Scottish Ministers have disapplied section 19(1) to (7) of the Charities and Trustee Investment (Scotland) Act 2005 (“the 2005 Act”) in relation to the property and income owned by the bodies listed in the Schedule to the Order.

Section 19(1) of the 2005 Act provides that when a body is removed from the Scottish Charity Register (established by section 3 of the 2005 Act), it remains under a duty to apply property and income held by it before it was removed, in accordance with its purposes as set out on the register. Section 19(2) to (7) of the 2005 Act protects such assets and ensures that the Scottish Charity Regulator (established by section 1 of the 2005 Act), can continue to oversee the use of the property and income even though the body holding that property and income is no longer a charity, by ensuring that several provisions of the 2005 Act continue to apply to the body in so far as they relate to property and income.