

SCHEDULE 2

TRANSITIONAL AND TRANSITORY PROVISIONS AND SAVINGS

PART 3

GENERAL

Effect of changes to exempt charity status

16.—(1) The commencement of this Order—

- (a) does not affect—
 - (i) any proceedings brought in any court or to the Tribunal in respect of any decision, order or direction made or any other matter arising before the appointed day;
 - (ii) any order made or judgment given in any proceedings mentioned in sub-paragraph (i) whether that order is made or judgment given before, on or after the appointed day;
- (b) does not affect the validity of anything done before the appointed day on the basis that—
 - (i) a formerly exempt charity was an exempt charity; or
 - (ii) a new exempt charity was not an exempt charity;
- (c) does not require—
 - (i) any formerly exempt charity to be treated as not having been an exempt charity;
 - (ii) any new exempt charity to be treated as having been an exempt charity,at any time before the appointed day.

(2) In this paragraph “Tribunal” has the meaning given by section 97(1) of the 1993 Act⁽¹⁾.

Exempt charity status of common deposit and common investment funds

17. The 1993 Act has effect as if the reference in section 24(8) of that Act to “a scheme which admits only exempt charities” were a reference to a scheme which admits—

- (a) only exempt charities;
- (b) only exempt charities and formerly exempt charities; or
- (c) only formerly exempt charities.

(1) The definition of “Tribunal” in section 97(1) of the Charities Act 1993 was amended by the Transfer of Functions of the Charity Tribunal Order 2009 (S.I. 2009/XXXX).