

Status: Point in time view as at 27/07/1999. This version of this schedule contains provisions that are prospective.
Changes to legislation: Charities Act 1992, SCHEDULE 6 is up to date with all changes known to be in force on or before 30 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 78(1).

MINOR AND CONSEQUENTIAL AMENDMENTS

CLERGY PENSIONS MEASURE 1961 (No.3)

- 1 In section 33 (preservation of restrictions on certain transactions)—
- (a) for “section twenty-nine of the Charities Act 1960” substitute “ section 32 of the Charities Act 1992 ”; and
 - (b) for “said Act” substitute “ Charities Act 1960 ”.

Commencement Information

I1 Sch. 6 para. 1 wholly in force at 1.1.1993 see s. 79(2) and S.I. 1992/1900, art. 4(1), Sch. 3.

^{F12}

Textual Amendments

F1 Sch. 6 para. 2 repealed (27.7.1999 with effect in relation to instruments executed on or after 6.2.2000) by 1999 c. 16, s. 139, Sch. 20 Pt. V(5) Notes 1, 2

CATHEDRALS MEASURE 1963 (No.2)

- 3 In section 20(2)(iii) (consents to disposal of land by cathedral bodies), for “section twenty-nine of the Charities Act 1960” substitute “ section 32 of the Charities Act 1992 ”.

Commencement Information

I2 Sch. 6 para. 3 wholly in force at 1.1.1993 see s. 79(2) and S.I. 1992/1900, art. 4(1), Sch. 3.

LEASEHOLD REFORM ACT 1967 (c.88)

- 4 In section 23(4) (grant of new tenancy), for “section 29 of the Charities Act 1960” substitute “ section 32 of the Charities Act 1992 ”.

Commencement Information

I3 Sch. 6 para. 4 wholly in force at 1.1.1993 see s. 79(2) and S.I. 1992/1900, art. 4(1), Sch. 3.

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SHARING OF CHURCH BUILDINGS ACT 1969 (c.38)

5 In section 8(3) (shared buildings), for the words from the beginning to “Commissioners)” substitute “ Section 32 of the Charities Act 1992 (restrictions on dispositions of charity land) ”.

Commencement Information
I4 Sch. 6 para. 5 wholly in force at 1.1.1993 see s. 79(2) and S.I. 1992/1900, art. 4(1), Sch. 3.

LOCAL GOVERNMENT ACT 1972 (c.70)

6 In section 131(3) (savings)—
(a) for the words from “section 29” to “property)” substitute “ section 32 of the Charities Act 1992 (restrictions on disposition of charity land) ”; and
(b) for “subsection (3)(a) of that section” substitute “ section 32(9)(a) of that Act ”.

Commencement Information
I5 Sch. 6 para. 6 wholly in force at 1.1.1993 see s. 79(2) and S.I. 1992/1900, art. 4(1), Sch. 3.

FIRE PRECAUTIONS (LOANS) ACT 1973 (c.11)

7 In section 1(7) (loans to meet certain expenditure), for the words from the beginning to “property)” substitute “ Section 34 of the Charities Act 1992 (which restricts the charging of charity property) ”.

Commencement Information
I6 Sch. 6 para. 7 wholly in force at 1.1.1993 see s. 79(2) and S.I. 1992/1900, art. 4(1), Sch. 3.

THEATRES TRUST ACT 1976 (c.27)

8 In section 2(2)(d) (powers of trustees), for “section 29 of the Charities Act 1960” substitute “ sections 32 and 34 of the Charities Act 1992 ”.

Commencement Information
I7 Sch. 6 para. 8 wholly in force at 1.1.1993 see s. 79(2) and S.I. 1992/1900, art. 4(1), Sch. 3.

PROSPECTIVE

LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (c.30)

F29

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Textual Amendments

- F2** Sch. 6 para. 9 repealed (27.2.2007) by Charities Act 2006 (c. 50), s. 79(2), Sch. 9; S.I. 2007/309, art. 2, Sch.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (c. 45)

- 10 In section 119(6)(d) (grounds for refusal of permission for public charitable collection in Scotland)—
- (a) after “under”, where secondly occurring, insert “ this section or ”; and
 - (b) after “section”, where secondly occurring, insert “ or under Part III of the Charities Act 1992 or regulations made under section 73 of that Act ”.

Commencement Information

- I8** Sch. 6 para. 10 partly in force; Sch. 6 para. 10 not in force at Royal Assent see s. 79(2); Sch. 6 para. 10(a) in force at 1.9.1992 see S.I. 1992/1900, art. 2(1), Sch. 1.

COMPANIES ACT 1985 (c. 6)

- 11 In each of the following provisions, namely—
- (a) section 209(1)(c) (interests to be disregarded for purposes of general disclosure provisions), and
 - (b) paragraph 11(b) of Schedule 13 (interests to be disregarded for purposes of provisions relating to disclosure by directors etc.),
- after “section 22” insert “ or 22A ”.

Commencement Information

- I9** Sch. 6 para. 11 wholly in force at 1.9.1992 see s. 79(2) and S.I. 1992/1900, art. 2(1), Sch. 1.

HOUSING ACT 1985 (c. 68)

- 12 For paragraph 12 of Schedule 1 substitute—
- “12 A licence to occupy a dwelling-house is not a secure tenancy if—
- (a) the dwelling-house is an almshouse, and
 - (b) the licence was granted by or on behalf of a charity which—
 - (i) is authorised under its trusts to maintain the dwelling-house as an almshouse, and
 - (ii) has no power under its trusts to grant a tenancy of the dwelling-house;
- and in this paragraph “almshouse” means any premises maintained as an almshouse, whether they are called an almshouse or not; and “trusts”, in relation to a charity, means the provisions establishing it as a charity and regulating its purposes and administration, whether those provisions take effect by way of trust or not.”

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Commencement Information

I10 Sch. 6 para. 12 wholly in force at 1.9.1992 see s. 79(2) and S.I. 1992/1900, art. 2(1), Sch. 1.

HOUSING ASSOCIATIONS ACT 1985 (c.69)

13 (1) In section 10(1) (excepted dispositions), for “section 29 of the Charities Act 1960” substitute “ sections 32 and 34 of the Charities Act 1992 ”.

^{F3}(2)

(3) In section 35(2)(c) (power to transfer housing to local housing authority), for the words from “section” to “Commissioners” substitute “ section 32 of the Charities Act 1992 (restrictions on dispositions of charity land) ”.

Textual Amendments

F3 Sch. 6 para. 13(2) repealed (1.8.1993) by 1993 c. 10, s. 98(2), Sch.7

Commencement Information

I11 Sch. 6 para. 13 partly in force; Sch. 6 para. 13 not in force at Royal Assent see s. 79(2); Sch. 6 para. 13(1)(3) in force at 1.1.1993 see S.I. 1992/1900, art. 4(1), Sch. 3.

FINANCIAL SERVICES ACT 1986 (c.60)

14 In section 45(1)(j) (miscellaneous exemptions), after “section 22” insert “ or 22A ”.

Commencement Information

I12 Sch. 6 para. 14 wholly in force at 1.9.1992 see s. 79(2) and S.I. 1992/1900, art. 2(1), Sch. 1.

COAL INDUSTRY ACT 1987 (c.3)

15 In section 5 (power of Commissioners to make schemes relating to coal industry trusts), for subsection (8) substitute—

“(8) Sections 18(3), (8), (10) to (12), 19(1) to (5) and (7) and 21 of the Charities Act 1960 shall apply in relation to the powers of the Charity Commissioners and the making of schemes under this section as they apply in relation to their powers and the making of schemes under that Act; and sections 40(1) to (4), 40A and 42 of that Act shall apply to orders and decisions under this section as they apply to orders and decisions under that Act.

(8A) The Commissioners shall not proceed under section 19 of that Act (as applied by subsection (8) above) without the like application, and the like notice to the trustees of the trust in question, as would be required if they were proceeding under subsection (1) above; but on any application made with a view to a scheme under subsection (1) above the Commissioners may proceed under that subsection or under section 19 of that Act (as so applied) as appears to them appropriate.”

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Commencement Information

I13 Sch. 6 para. 15 wholly in force at 1.9.1992 see s. 79(2) and S.I. 1992/1900, art. 2(1), Sch. 1.

REVERTER OF SITES ACT 1987 (c.15)

16 In section 4(4) (supplementary provisions), after “sections 40” insert “ ,40A ”.

Commencement Information

I14 Sch. 6 para. 16 wholly in force at 1.9.1992 see s. 79(2) and S.I. 1992/1900, art. 2(1), Sch. 1.

INCOME AND CORPORATION TAXES ACT 1988 (c.1)

17 After paragraph 3 of Schedule 20 (charities: qualifying investments and loans) insert—

“3A Any investment in a common deposit fund established under section 22A of the Charities Act 1960 or in any similar fund established for the exclusive benefit of charities by or under any enactment relating to any particular charities or class of charities.”

Commencement Information

I15 Sch. 6 para. 17 wholly in force at 1.9.1992 see s. 79(2) and S.I. 1992/1900, art. 2(1), Sch. 1.

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