

Status: Point in time view as at 14/03/2012.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006, SCHEDULE 10. (See end of Document for details)

SCHEDULES

SCHEDULE 10 **U.K.**

Section 75

TRANSITIONAL PROVISIONS AND SAVINGS

Section 4: guidance as to operation of public benefit requirement

^{F1}1

Textual Amendments

F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 5: recreational charities etc.

^{F1}2

Textual Amendments

F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 18: cy-près schemes

^{F1}3

Textual Amendments

F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 19: suspension or removal of trustee etc. from membership of charity

^{F1}4

Textual Amendments

F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

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Section 20: specific directions for protection of charity

F15

Textual Amendments
F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 26: offence of obstructing power of entry

F16

Textual Amendments
F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 28: audit or examination of accounts of charity which is not a company

F17

Textual Amendments
F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 29: auditor etc. of charity which is not a company to report matters to Commission

F18

Textual Amendments
F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 32: audit or examination of accounts of charitable companies

F19

Textual Amendments
F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 33: auditor etc. of charitable company to report matters to Commission

F110

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Textual Amendments

- F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 35: waiver of trustee's disqualification

^{F1}11

Textual Amendments

- F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 36: remuneration of trustees etc. providing services to charity

^{F1}12

Textual Amendments

- F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 38: relief from liability for breach of trust or duty

^{F1}13

Textual Amendments

- F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 44: registration of charity mergers

^{F1}14

Textual Amendments

- F1 Sch. 10 paras. 1-14 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), [Sch. 8](#))

Section 67: statements relating to fund-raising

15 The amendments made by section 67 apply in relation to any solicitation or representation to which section 60(1), (2) or (3) of the 1992 Act applies and which is made on or after the day on which section 67 comes into force.

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Commencement Information

I1 Sch. 10 para. 15 in force at 1.4.2008 by [S.I. 2007/3286](#), [art. 3](#), [Sch. 2](#) (with [art. 4](#))

Section 72: Disclosure of information to and by Northern Ireland regulator

16 In relation to an offence committed in England and Wales before the commencement of section 154(1) of the Criminal Justice Act 2003 (c. 44) (general limit on magistrates' court's power to impose imprisonment), the reference to 12 months in section 72(6) is to be read as a reference to 6 months.

Commencement Information

I2 Sch. 10 para. 16 in force at 27.2.2007 by [S.I. 2007/309](#), [art. 2](#), [Sch.](#)

Schedule 6: group accounts

^{F2}17

Textual Amendments

F2 Sch. 10 paras. 17-20 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), [s. 355](#), [Sch. 10](#) (with [s. 20\(2\)](#), [Sch. 8](#))

Schedule 8: minor and consequential amendments

^{F2}18

Textual Amendments

F2 Sch. 10 paras. 17-20 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), [s. 355](#), [Sch. 10](#) (with [s. 20\(2\)](#), [Sch. 8](#))

^{F2}19

Textual Amendments

F2 Sch. 10 paras. 17-20 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), [s. 355](#), [Sch. 10](#) (with [s. 20\(2\)](#), [Sch. 8](#))

^{F2}20

Textual Amendments

F2 Sch. 10 paras. 17-20 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), [s. 355](#), [Sch. 10](#) (with [s. 20\(2\)](#), [Sch. 8](#))

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Schedule 9: savings on repeal of provisions of Charities Act 1960

- 21 (1) This paragraph applies where, immediately before the coming into force of the repeal by this Act of section 35(6) of the Charities Act 1960 (c. 58) (transfer and evidence of title to property vested in trustees), any relevant provision had effect, in accordance with that provision, as if contained in a conveyance or other document declaring the trusts on which land was held at the commencement of that Act.
- (2) In such a case the relevant provision continues to have effect as if so contained despite the repeal of section 35(6) of that Act.
- (3) A “relevant provision” means a provision of any of the following Acts providing for the appointment of trustees—
- (a) the Trustee Appointment Act 1850 (c. 28),
 - (b) the Trustee Appointment Act 1869 (c. 26),
 - (c) the Trustees Appointment Act 1890 (c. 19), or
 - (d) the School Sites Act 1852 (c. 49) so far as applying any of the above Acts, as in force at the commencement of the Charities Act 1960.

Commencement Information

- I3** Sch. 10 para. 21 in force at 31.1.2009 by [S.I. 2008/3267](#), art. 2, **Sch.** (with arts. 3-27) (as amended: (29.9.2009) by [S.I. 2009/2648](#), art. 3; (26.7.2010) by [S.I. 2010/1942](#), art. 2; and (1.8.2011) by [S.I. 2011/1725](#), arts. 1(2), 3, Sch. para. 6)

- 22 The repeal by this Act of section 39(2) of the Charities Act 1960 (repeal of obsolete enactments) does not affect the continued operation of any trusts which, at the commencement of that Act, were wholly or partly comprised in an enactment specified in Schedule 5 to that Act (enactments repealed as obsolete).

Commencement Information

- I4** Sch. 10 para. 22 in force at 31.1.2009 by [S.I. 2008/3267](#), art. 2, **Sch.** (with arts. 3-27) (as amended: (29.9.2009) by [S.I. 2009/2648](#), art. 3; (26.7.2010) by [S.I. 2010/1942](#), art. 2; and (1.8.2011) by [S.I. 2011/1725](#), arts. 1(2), 3, Sch. para. 6)

- 23 The repeal by this Act of section 48(1) of, and Schedule 6 to, the Charities Act 1960 (consequential amendments etc.) does not affect the amendments made by Schedule 6 in—

- ^{F3}(a)
- ^{F3}(b)
- (c) section 24(4) of the Landlord and Tenant Act 1927 (c. 36), ^{F3}...
- ^{F3}(d)

Textual Amendments

- F3** Sch. 10 para. 23(a)(b)(d) and word repealed (14.3.2012) by [Charities Act 2011](#) (c. 25), s. 355, **Sch. 10** (with s. 20(2), **Sch. 8**)

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Commencement Information

I5 Sch. 10 para. 23 in force at 31.1.2009 by [S.I. 2008/3267](#), art. 2, **Sch.** (with arts. 3-27) (as amended: (29.9.2009) by [S.I. 2009/2648](#), art. 3; (26.7.2010) by [S.I. 2010/1942](#), art. 2; and (1.8.2011) by [S.I. 2011/1725](#), arts. 1(2), 3, Sch. para. 6)

^{F4}24

Textual Amendments

F4 Sch. 10 para. 24 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), **Sch. 8**)

25 Despite the repeal by this Act of section 48(4) of the Charities Act 1960—
(a) any scheme, order, certificate or other document issued under or for the purposes of the Charitable Trusts Acts 1853 to 1939 and having effect in accordance with section 48(4) immediately before the commencement of that repeal continues to have the same effect (and to be enforceable or liable to be discharged in the same way) as would have been the case if that repeal had not come into force, and
(b) any such document, and any document under the seal of the official trustees of charitable funds, may be proved as if the 1960 Act had not been passed.

Commencement Information

I6 Sch. 10 para. 25 in force at 31.1.2009 by [S.I. 2008/3267](#), art. 2, **Sch.** (with arts. 3-27) (as amended: (29.9.2009) by [S.I. 2009/2648](#), art. 3; (26.7.2010) by [S.I. 2010/1942](#), art. 2; and (1.8.2011) by [S.I. 2011/1725](#), arts. 1(2), 3, Sch. para. 6)

^{F5}26

Textual Amendments

F5 Sch. 10 para. 26 repealed (14.3.2012) by [Charities Act 2011 \(c. 25\)](#), s. 355, **Sch. 10** (with s. 20(2), **Sch. 8**)

27 The repeal by this Act of the Charities Act 1960 does not affect any transitional provision or saving contained in that Act which is capable of having continuing effect but whose effect is not preserved by any other provision of this Schedule.

Commencement Information

I7 Sch. 10 para. 27 in force at 31.1.2009 by [S.I. 2008/3267](#), art. 2, **Sch.** (with arts. 3-27) (as amended: (29.9.2009) by [S.I. 2009/2648](#), art. 3; (26.7.2010) by [S.I. 2010/1942](#), art. 2; and (1.8.2011) by [S.I. 2011/1725](#), arts. 1(2), 3, Sch. para. 6)

Schedule 9: savings on repeal of provisions of Charities Act 1992

28 The repeal by this Act of section 49 of, and Schedule 5 to, the 1992 Act (amendments relating to redundant churches etc.) does not affect the amendments made by that Schedule in the Redundant Churches and Other Religious Buildings Act 1969.

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Commencement Information

18 Sch. 10 para. 28 in force at 1.4.2008 by [S.I. 2008/945](#), [art. 2](#), [Sch. 1](#) (with [arts. 4, 5](#))

Schedule 9: repeal of certain repeals made by Charities Acts 1960 and 1992

- 29 (1) It is hereby declared that (in accordance with sections 15 and 16 of the Interpretation Act 1978 (c. 30)) the repeal by this Act of any of the provisions mentioned in subparagraph (2) does not revive so much of any enactment or document as ceased to have effect by virtue of that provision.
- (2) The provisions are—
- (a) section 28(9) of the Charities Act 1960 (repeal of provisions regulating taking of charity proceedings),
 - (b) section 36 of the 1992 Act (repeal of provisions requiring Charity Commissioners' consent to dealings with charity land), and
 - (c) section 50 of that Act (repeal of provisions requiring amount of contributions towards maintenance etc. of almshouses to be sanctioned by Charity Commissioners).

Commencement Information

19 Sch. 10 para. 29(1)(2)(b)(2)(c) in force at 1.4.2008 by [S.I. 2008/945](#), [art. 2](#), [Sch. 1](#) (with [arts. 4, 5](#))

110 Sch. 10 para. 29(2)(a) in force at 31.1.2009 by [S.I. 2008/3267](#), [art. 2](#), [Sch.](#) (with [arts. 3-27](#)) (as amended: (29.9.2009) by [S.I. 2009/2648](#), [art. 3](#); (26.7.2010) by [S.I. 2010/1942](#), [art. 2](#); and (1.8.2011) by [S.I. 2011/1725](#), [arts. 1\(2\), 3](#), [Sch. para. 6](#))

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