



Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

PART 4

GENERAL AND SUPPLEMENTARY

106 General interpretation

In this Act, unless the context otherwise requires—

- “applicant” has the meaning given in section 4(a),
- “benevolent body” has the meaning given in section 79,
- “charitable purposes” means the purposes set out in section 7(2),
- “charity” means a body entered in the Register,
- “charity test” is to be construed in accordance with section 7,
- “charity trustees” means the persons having the general control and management of the administration of a charity,
- “company” means a company formed and registered under the Companies Act 1985 (c. 6) or to which that Act applies as it applies to such a company,
- “constitution”—
 - (a) in relation to a charity or other body established under the Companies Acts, means its memorandum and articles of association,
 - (b) in relation to a charity or other body which is a body of trustees, means the trust deed,
 - (c) in relation to a SCIO, has the meaning given in section 50,
 - (d) in relation to a charity or other body established by enactment, means the enactment which establishes it and states its purposes,
 - (e) in relation to charity or other body established by a Royal charter or warrant, means the Royal charter or warrant, and
 - (f) in the case of any other charity or body, means the instrument which establishes it and states its purposes,
- “designated national collector” means a charity designated as such under section 87(4),

Status: This is the original version (as it was originally enacted).

“designated religious charity” means a charity designated as such under section 65(1),

“equal opportunities” and “equal opportunity requirements” have the meaning given in Section L2 of Part 2 of Schedule 5 to the Scotland Act 1998 (c. 46),

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994 (c. 39),

“misconduct” includes mismanagement,

“OSCR” means the holder of the Office of the Scottish Charity Regulator,

“the Panel” mean a Scottish Charity Appeals Panel constituted in accordance with section 75(1) of this Act,

“the Register” means the Scottish Charity Register,

“relevant financial institution” means—

- (a) a person who has permission under Part 4 of the Financial Services and Markets Act 2000 (c. 8) to accept deposits,
- (b) an EEA firm of the kind mentioned in paragraph 5(b) of Schedule 3 to that Act which has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12(1) of that Schedule) to accept deposits,

and this definition must be read with section 22 of and Schedule 2 to that Act and any relevant order under that section,

“reorganisation scheme” has the meaning given in section 42(3) and references to “approved reorganisation schemes” are references to schemes approved under section 39 or 40,

“SCIO” has the meaning given in section 49.