



Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

PART 1

CHARITIES

CHAPTER 2

SCOTTISH CHARITY REGISTER

References to charitable status

13 References to charitable status

- (1) A body entered in the Register may refer to itself as a “charity”, a “charitable body”, a “registered charity” or a “charity registered in Scotland”.
- (2) If such a body is established under the law of Scotland, or is managed or controlled wholly or mainly in or from Scotland, it may also refer to itself as a “Scottish charity” or a “registered Scottish charity”.
- (3) A body which refers to itself in any of the ways described in subsection (1) is to be treated as representing itself as a body entered in the Register.
- (4) A body which refers to itself in any of the ways described in subsection (2) is to be treated as representing itself—
 - (a) as a body entered in the Register, and
 - (b) as being established under the law of Scotland or managed or controlled wholly or mainly in or from Scotland.

14 Exception for certain bodies not in Register

A body which is not entered in the Register may, despite section 13, refer to itself as a “charity” without being treated as representing itself as a charity if, and only if—

Status: This is the original version (as it was originally enacted).

- (a) it is—
 - (i) established under the law of a country or territory other than Scotland,
 - (ii) entitled to refer to itself as a “charity” (by any means or in any language) in that country or territory, and
 - (iii) managed or controlled wholly or mainly outwith Scotland,
- (b) it does not—
 - (i) occupy any land or premises in Scotland, or
 - (ii) carry out activities in any office, shop or similar premises in Scotland, and
- (c) in making that reference, it also refers to being established under the law of a country or territory other than Scotland.

15 References in documents

- (1) The Scottish Ministers may by regulations require each body entered in the Register to state, in legible characters—
 - (a) that it is a charity,
 - (b) such other information as may be specified in the regulations,on such documents issued or signed on behalf of the charity as may be so specified.
- (2) Such regulations may—
 - (a) exempt charities, or charities of a particular type, from any of the requirements imposed by the regulations,
 - (b) provide that any statement required by them may, in the case of documents which are otherwise wholly or mainly in a language other than English, be made in that other language.