

*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Charities and Trustee Investment (Scotland) Act 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



# Charities and Trustee Investment (Scotland) Act 2005

2005 asp 10

## PART 2

### FUNDRAISING FOR BENEVOLENT BODIES

#### *Public benevolent collections*

PROSPECTIVE

#### **87 Designated national collectors**

- (1) OSCR may specify criteria to be satisfied for the purposes of—
  - (a) obtaining, and
  - (b) retaining,designation as a designated national collector under this section.
- (2) Before specifying such criteria, OSCR must consult—
  - (a) such associations representing local authorities,
  - (b) such persons representing the interests of charities, and
  - (c) such other persons,as it thinks fit.
- (3) OSCR must publish any criteria specified under subsection (1).
- (4) OSCR may designate as a designated national collector a charity which appears to it to satisfy such criteria as are for the time being specified under subsection (1)(a).
- (5) OSCR may withdraw a designation under subsection (4) from a charity which appears to it not to satisfy such criteria as are for the time being specified under subsection (1)(b).

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- (6) Regulations under section 90 may make provision about the effect of the withdrawal of a designation in relation to public benevolent collections notice of which was, prior to the withdrawal, given under subsection (7).
- (7) A designated national collector which proposes to hold a public benevolent collection in the area of a local authority must—
  - (a) no earlier than 18 months, and
  - (b) no later than 3 months,before the proposed date of the collection, notify the authority of the proposal.
- (8) The local authority may prohibit the public benevolent collection if it considers that the public benevolent collection would be likely to cause undue public inconvenience (by reason of it being held on the same date and at the same time and place as any other public benevolent collection or for any other reason).
- (9) A decision under subsection (8) must be made not later than one month after the date of the notification under subsection (7).
- (10) A local authority must give the designated national collector notice of a decision under subsection (8) including the reasons for the authority's decision and information about the designated national collector's rights of appeal under section 88.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 1 Ch. 7A inserted by 2023 asp 5 s. 13(2)
- s. 2(1A) inserted by 2023 asp 5 sch. para. 1(2)
- s. 3(3)(aa) inserted by 2023 asp 5 s. 2(2)(a)
- s. 3(6)(c) and word inserted by 2023 asp 5 sch. para. 3(2)(b)
- s. 5(2)(aa) inserted by 2023 asp 5 s. 18(3)(a)
- s. 5(3) inserted by 2023 asp 5 sch. para. 4(2)
- s. 5(4)(5) inserted by 2023 asp 5 s. 18(3)(b)
- s. 10(3) inserted by 2023 asp 5 sch. para. 6(3)(b)
- s. 11(3A)(3B) inserted by 2023 asp 5 sch. para. 5(2)(b)
- s. 11(4)(a) words in s. 11(4) renumbered as s. 11(4)(a) by 2023 asp 5 sch. para. 5(2)(c)(i)
- s. 11(4)(b) and word inserted by 2023 asp 5 sch. para. 5(2)(c)(ii)
- s. 11(5) inserted by 2023 asp 5 sch. para. 5(2)(d)
- s. 12(2A) inserted by 2023 asp 5 sch. para. 6(4)(b)
- s. 12(3A) inserted by 2023 asp 5 sch. para. 4(3)
- s. 12(3B) inserted by 2023 asp 5 sch. para. 6(4)(d)
- s. 12(6) inserted by 2023 asp 5 sch. para. 6(4)(g)
- s. 17(1)(ba) inserted by 2023 asp 5 s. 3(2)
- s. 19(1)-(1D) substituted for s. 19(1) by 2023 asp 5 sch. para. 9(2)
- s. 23(1A) inserted by 2023 asp 5 sch. para. 10(3)
- s. 24A inserted by 2023 asp 5 sch. para. 11(3)
- s. 25(1)(ba)(bb) inserted by 2023 asp 5 sch. para. 11(4)(a)
- s. 25(3)(4) inserted by 2023 asp 5 sch. para. 11(4)(b)
- s. 28(2A) inserted by 2023 asp 5 s. 15(3)
- s. 28(4A) inserted by 2023 asp 5 s. 15(4)
- s. 29(2A) inserted by 2023 asp 5 s. 16(2)(c)
- s. 30A inserted by 2023 asp 5 s. 18(4)
- s. 30B inserted by 2023 asp 5 s. 17(3)
- s. 32(2)(a) words in s. 32(2) renumbered as s. 32(2)(a) by 2023 asp 5 s. 17(5)(a)
- s. 32(2)(a) words inserted by 2023 asp 5 s. 17(5)(b)
- s. 32(2)(b) words in s. 32(2) renumbered as s. 32(2)(b) by 2023 asp 5 s. 17(5)(c)
- s. 32(2)(b) words inserted by 2023 asp 5 s. 17(5)(d)
- s. 33(1)(a)(ib) inserted by 2023 asp 5 s. 17(7)
- s. 33(1)(a)(ia) inserted by 2023 asp 5 s. 18(5)
- s. 42(6)-(10) substituted for s. 42(6)(7) by 2023 asp 5 s. 14(2)
- s. 44(1)(ca) inserted by 2023 asp 5 s. 10(2)(a)(i)
- s. 44(2A) inserted by 2023 asp 5 sch. para. 12(3)
- s. 44(4A) inserted by 2023 asp 5 s. 10(2)(b)
- s. 45A inserted by 2023 asp 5 s. 12(4)
- s. 45B and cross-heading inserted by 2023 asp 5 s. 10(3)
- s. 48A and cross-heading inserted by 2023 asp 5 sch. para. 15(2)
- s. 52(3A)(3B) inserted by 2023 asp 5 sch. para. 16(2)
- s. 64(1) words in s. 64 renumbered as s. 64(1) by 2023 asp 5 sch. para. 18(2)(a)
- s. 64(2) inserted by 2023 asp 5 sch. para. 18(2)(b)

- s. 66A and cross-heading inserted by 2023 asp 5 s. 3(3)
- s. 69(2)(a)(ai) inserted by 2023 asp 5 s. 4(2)(a)(i)
- s. 69(2)(b)(i) words in s. 69(2)(b) renumbered as s. 69(2)(b)(i) by 2023 asp 5 s. 5(2)(a)(i)
- s. 69(2)(b)(i) words inserted by 2023 asp 5 s. 5(2)(a)(ii)
- s. 69(2)(b)(ii) inserted by 2023 asp 5 s. 5(2)(a)(iii)
- s. 69(2)(f)-(i) inserted by 2023 asp 5 s. 5(2)(d)
- s. 69(2)(da)(db) inserted by 2023 asp 5 s. 5(2)(c)
- s. 69(2A) inserted by 2023 asp 5 s. 5(3)(b)
- s. 69(3A) inserted by 2023 asp 5 s. 5(3)(c)
- s. 69(7) inserted by 2023 asp 5 s. 5(3)(e)
- s. 69A inserted by 2023 asp 5 s. 4(3)
- s. 69B inserted by 2023 asp 5 s. 6(2)
- s. 70(4)-(6) inserted by 2023 asp 5 s. 5(4)(b)
- s. 70A(5A) inserted by 2023 asp 5 s. 8(6)
- s. 70A(9) inserted by 2023 asp 5 s. 8(10)
- s. 70ZA70ZB inserted by 2023 asp 5 s. 7(3)
- s. 71(ib)(ic) inserted by 2023 asp 5 s. 18(6)
- s. 71(id) inserted by 2023 asp 5 s. 17(9)
- s. 71(mb) inserted by 2023 asp 5 s. 12(5)
- s. 71(pa) inserted by 2023 asp 5 s. 6(5)
- s. 71(pb) inserted by 2023 asp 5 s. 9(2)
- s. 71(pc) inserted by 2023 asp 5 s. 7(4)
- s. 72(2)(ba) inserted by 2023 asp 5 s. 16(3)(a)(ii)
- s. 72(2)(bb) inserted by 2023 asp 5 s. 9(3)
- s. 72(4) inserted by 2023 asp 5 s. 16(3)(b)
- s. 74(1A) inserted by 2023 asp 5 s. 9(5)
- s. 100(5A)-(5E) inserted by 2023 asp 5 sch. para. 20(2)
- s. 103(5)(ba) inserted by 2023 asp 5 s. 18(8)(b)
- s. 103(5)(bb) inserted by 2023 asp 5 s. 14(3)
- s. 103(5)(ca) inserted by 2023 asp 5 s. 5(5)
- s. 103(5)(cb) inserted by 2023 asp 5 s. 4(4)
- s. 103(5)(za) inserted by 2023 asp 5 s. 18(8)(a)