

*Draft Order laid before the Scottish Parliament under section 103(5) of the Charities and Trustee Investment (Scotland) Act 2005, for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2008 No.**

**CHARITIES**

**The Charity Test (Specified Bodies) (Scotland) Order 2008**

*Made* - - - - 2008  
*Coming into force* - - 2008

The Scottish Ministers make the following Order in exercise of the powers conferred by section 7(5) of the Charities and Trustee Investment (Scotland) Act 2005<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 103(5) of that Act, a draft of the Order has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1. This Order may be cited as the Charity Test (Specified Bodies) (Scotland) Order 2008 and comes into force on the day after the day on which it is made.

**Specified Bodies**

2. Section 7(4)(b) of the Charities and Trustee Investment (Scotland) Act 2005 is disapplied in relation to the bodies specified in the Schedule to this Order.

St Andrew's House,  
Edinburgh  
2008

A member of the Scottish Executive

## SCHEDULE

Article 2

### SPECIFIED BODIES

- (a) The Board of Management of Aberdeen College of Further Education
- (b) The Board of Management of The Adam Smith College, Fife
- (c) The Board of Management of Angus College of Further Education
- (d) The Board of Management of Anniesland College
- (e) The Board of Management of Ayr College
- (f) The Board of Management of Banff and Buchan College of Further Education
- (g) The Board of Management of The Barony College
- (h) The Board of Management of Borders College
- (i) The Board of Management of Cardonald College
- (j) The Board of Management of Carnegie College
- (k) The Board of Management of Central College of Commerce
- (l) The Board of Management of Clydebank College
- (m) The Board of Management of Coatbridge College
- (n) The Board of Management of Cumbernauld College
- (o) The Board of Management of Dumfries and Galloway College
- (p) The Board of Management of Dundee College
- (q) The Board of Management of Edinburgh's Telford College
- (r) The Board of Management of Elmwood College
- (s) The Board of Management of Forth Valley College of Further and Higher Education
- (t) The Board of Management of Glasgow College of Nautical Studies
- (u) The Board of Management of Glasgow Metropolitan College
- (v) The Board of Management of Inverness College
- (w) The Board of Management of James Watt College of Further and Higher Education
- (x) The Board of Management of Jewel and Esk College
- (y) The Board of Management of John Wheatley College
- (z) The Board of Management of Kilmarnock College
- (aa) The Board of Management of Langside College
- (bb) The Board of Management of Lews Castle College
- (cc) The Board of Management of Moray College
- (dd) The Board of Management of Motherwell College
- (ee) The Board of Management of North Glasgow College
- (ff) The Board of Management of The North Highland College
- (gg) The Board of Management of Oatridge College
- (hh) The Board of Management of Perth College
- (ii) The Board of Management of Reid Kerr College
- (jj) The Board of Management of South Lanarkshire College
- (kk) The Board of Management of Stevenson College Edinburgh

- (ll) The Board of Management of Stow College
  - (mm) The Board of Management of West Lothian College
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### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

By this Order Scottish Ministers have disapplied paragraph (b) of section 7(4) of the Charities and Trustee Investment (Scotland) Act 2005 (“the 2005 Act”) in relation to the bodies specified in the Schedule to the Order.

Section 7(4)(b) of the 2005 Act provides that if a body’s constitution expressly permits the Scottish Ministers or a Minister of the Crown to direct or otherwise control its activities, it will not meet the charity test in the 2005 Act.