

SCHEDULES

SCHEDULE 6

Section 98(1).

CONSEQUENTIAL AMENDMENTS

The Places of Worship Registration Act 1855 (c. 81)

- 1 (1) Section 9 of the Places of Worship Registration Act 1855 shall be amended as follows.
- (2) For “subsection (4) of section four of the Charities Act 1960” there shall be substituted “subsection (5) of section 3 of the Charities Act 1993”.
- (3) At the end there shall be added—
- “(2) Section 89 of the said Act of 1993 (provisions as to orders under that Act) shall apply to any order under paragraph (b) above as it applies to orders under that Act.”

The Open Spaces Act 1906 (c. 25)

- 2 At the end of section 4 of the Open Spaces Act 1906 there shall be added—
- “(4) Section 89 of the Charities Act 1993 (provisions as to orders under that Act) shall apply to any order of the Charity Commissioners under this section as it applies to orders made by them under that Act.”

The New Parishes Measure 1943 (No. 1)

- 3 (1) The New Parishes Measure 1943 shall be amended as follows.
- (2) In subsection (1)(b) of section 14 for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”.
- (3) At the end of that section there shall be added—
- “(4) Section 89 of the Charities Act 1993 (provisions as to orders under that Act) shall apply to any order under section (1)(b) above as it applies to orders under that Act.”
- (4) In section 31 for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”.

The Clergy Pensions Measure 1961 (No. 3)

- 4 In section 33 of the Clergy Pensions Measure 1961 for “section 32 of the Charities Act 1992” and “the Charities Act 1960” there shall be substituted respectively “section 36 of the Charities Act 1993” and “that Act”.

Status: This is the original version (as it was originally enacted).

The Finance Act 1963 (c. 25)

- 5 In section 65(2) of the Finance Act 1963 at the end of paragraph (a) there shall be added “or to any common investment scheme under section 24 or any common deposit scheme under section 25 of the Charities Act 1993;”.

The Cathedrals Measure 1963 (No. 2)

- 6 (1) The Cathedrals Measure 1963 shall be amended as follows.
- (2) In section 20(2)(iii) for “section 32 of the Charities Act 1992” there shall be substituted “section 36 of the Charities Act 1993”.
- (3) In section 51 for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”.

The Incumbents and Churchwardens (Trusts) Measure 1964 (No.2)

- 7 In section 1 of the Incumbents and Churchwardens (Trusts) Measure 1964 for “subsection (3) of section forty-five of the Charities Act 1960” there shall be substituted “section 96(3) of the Charities Act 1993”.

The Leasehold Reform Act 1967 (c. 88)

- 8 In section 23(4) of the Leasehold Reform Act 1967 for “section 32 of the Charities Act 1992” there shall be substituted “section 36 of the Charities Act 1993”.

The Greater London Council (General Powers) Act 1968 (c.xxxix)

- 9 In section 43 of the Greater London Council (General Powers) Act 1968, in the definition of “night cafe”, for “section 4 of the Charities Act 1960” and “subsection (4) thereof” there shall be substituted respectively “section 3 of the Charities Act 1993” and “subsection (5) thereof”.

The Redundant Churches and other Religious Buildings Act 1969 (c. 22)

- 10 (1) The Redundant Churches and other Religious Buildings Act 1969 shall be amended as follows.
- (2) In subsection (6) of section 4 for “section 18 of the Charities Act 1960” there shall be substituted “section 16 of the Charities Act 1993”.
- (3) In subsection (7) of that section for “subsection (4) of section 18 of that Act” there shall be substituted “subsection (4) of section 16 of that Act”.
- (4) In subsection (8) of that section for “section 18 of the Charities Act 1960” and (where next occurring) “section 18” there shall be substituted respectively “section 16 of the Charities Act 1993” and “section 16” and for “section 21” there shall be substituted “section 20”.
- (5) In subsection (13) of that section for “sections 45 and 46 of the Charities Act 1960” there shall be substituted “sections 96 and 97 of the Charities Act 1993”.
- (6) In section 7(2) for “the Charities Act 1960” and “section 23” there shall be substituted respectively “the Charities Act 1993” and “section 26”.

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

The Sharing of Church Buildings Act 1969 (c. 38)

- 11 (1) The Sharing of Church Buildings Act 1969 shall be amended as follows.
- (2) In section 2(4) for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”.
- (3) In subsection (1) of section 8 for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”.
- (4) In subsection (2) of that section for “section 45(2) of the Charities Act 1960” there shall be substituted “section 96(2) of the Charities Act 1993”.
- (5) In subsection (3) of that section for “Section 32 of the Charities Act 1992” there shall be substituted “Section 36 of the Charities Act 1993”.

The Local Government Act 1972 (c. 70)

- 12 (1) The Local Government Act 1972 shall be amended as follows.
- (2) In sections 11(3)(c) and 29(3)(c) for “section 37 of the Charities Act 1960” there shall be substituted “section 79 of the Charities Act 1993”.
- (3) In sections 123(6) and 127(4) for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”.
- (4) In section 131(3) for “section 32 of the Charities Act 1992” and “section 32(9)(a) of that Act” there shall be substituted respectively “section 36 of the Charities Act 1993” and “section 36(9)(a) of that Act”.

The Fire Precautions (Loans) Act 1973 (c. 11)

- 13 In section 1(7) of the Fire Precautions (Loans) Act 1973 for “Section 34 of the Charities Act 1992” there shall be substituted “Section 38 of the Charities Act 1993”.

The Theatres Trust Act 1976 (c. 27)

- 14 In section 2(2)(d) of the Theatres Trust Act 1976 for “sections 32 and 34 of the Charities Act 1992” there shall be substituted “sections 36 and 38 of the Charities Act 1993”.

The Interpretation Act 1978 (c. 30)

- 15 In Schedule 1 to the Interpretation Act 1978, in the definition of “Charity Commissioners” for “section 1 of the Charities Act 1960” there shall be substituted “section 1 of the Charities Act 1993”.

The Reserve Forces Act 1980 (c. 9)

- 16 (1) Section 147 of the Reserve Forces Act 1980 shall be amended as follows.
- (2) In subsection (4) for “section 28 of the Charities Act 1960” there shall be substituted “section 33 of the Charities Act 1993”.

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

- (3) In subsection (5) for “section 28(5) of that Act of 1960” there shall be substituted “section 33(5) of that Act of 1993”.
- (4) In subsection (7) for “section 18 of the Charities Act 1960” there shall be substituted “section 16 of the Charities Act 1993”.
- (5) In subsection (10)(b) for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”.

The Disused Burial Grounds (Amendment) Act 1981 (c. 18)

- 17 In section 6 of the Disused Burial Grounds (Amendment) Act 1981 for “section 13(5) of the Charities Act 1960” there shall be substituted “section 13(5) of the Charities Act 1993”.

The Pastoral Measure 1983 (No. 1)

- 18 (1) The Pastoral Measure 1983 shall be amended as follows.
- (2) In section 55(1) for “the Charities Act 1960” and “section 45(2)(b)” there shall be substituted “the Charities Act 1993” and “section 96(2)(c)”.
 - (3) In section 63(3) for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”.
 - (4) In section 87(1) for “section 45 of the Charities Act 1960” there shall be substituted “section 96 of the Charities Act 1993”.
 - (5) In paragraphs 11(6) and 16(1)(e) of Schedule 3 for “section 18 of the Charities Act 1960” there shall be substituted “section 16 of the Charities Act 1993”.

The Rates Act 1984 (c. 33)

- 19 In section 3(9) of the Rates Act 1984 for “section 4 of the Charities Act 1960” there shall be substituted “section 3 of the Charities Act 1993”.

The Companies Act 1985 (c. 6)

- 20 (1) The Companies Act 1985 shall be amended as follows.
- (2) In sections 35(4) and 35A(6) for “section 30B(1) of the Charities Act 1960” there shall be substituted “section 65(1) of the Charities Act 1993”.
 - (3) In section 209(1)(c) and paragraph 11(b) of Schedule 13 after “the Charities Act 1960” there shall be inserted “or section 24 or 25 of the Charities Act 1993”.

The Housing Associations Act 1985 (c. 69)

- 21 (1) The Housing Associations Act 1985 shall be amended as follows.
- (2) In section 10(1) for “sections 32 and 34 of the Charities Act 1992” there shall be substituted “sections 36 and 38 of the Charities Act 1993”.
 - (3) In section 26(2) for the words from “section 8” onwards there shall be substituted “sections 41 to 45 of the Charities Act 1993 (charity accounts)”.

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

(4) In section 35(2)(c) for “section 32 of the Charities Act 1992” there shall be substituted “section 36 of the Charities Act 1993”.

(5) In section 38—

- (a) in paragraph (a) for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”;
- (b) in paragraph (b) for “section 4 of that Act” there shall be substituted “section 3 of that Act”.

The Financial Services Act 1986 (c. 60)

22 In section 45(1)(j) of the Financial Services Act 1986 after “the Charities Act 1960” there shall be inserted “, section 24 or 25 of the Charities Act 1993”.

The Coal Industry Act 1987 (c. 3)

23 (1) In section 5 of the Coal Industry Act 1987 for subsection (8) there shall be substituted—

“(8) Sections 16(3), (9), (11) to (14), 17(1) to (5) and (7) and 20 of the Charities Act 1993 shall apply in relation to the powers of the Charity Commissioners and the making of schemes under this section as they apply in relation to their powers and the making of schemes under that Act and sections 89, 91 and 92 of that Act shall apply to orders and decisions under this section as they apply to orders and decisions under that Act.”

(2) In subsection (8A) of that section for “section 29” (in both places) there shall be substituted “section 17”.

The Reverter of Sites Act 1987 (c. 15)

24 In section 4(4) of the Reverter of Sites Act 1987 for “sections 40, 40A and 42 of the Charities Act 1960” there shall be substituted “sections 89, 91 and 92 of the Charities Act 1993”.

The Income and Corporation Taxes Act 1988 (c. 1)

25 In Schedule 20 to the Income and Corporation Taxes Act 1988—

- (a) in paragraph 3 after “the Charities Act 1960” there shall be inserted “, section 24 of the Charities Act 1993”;
- (b) in paragraph 3A after “the Charities Act 1960” there shall be inserted “or section 25 of the Charities Act 1993”.

The Courts and Legal Services Act 1990 (c. 41)

26 In Schedule 11 to the Courts and Legal Services Act 1990, in the reference to a Charity Commissioner, for “under the First Schedule to the Charities Act 1960” there shall be substituted “as provided in Schedule 1 to the Charities Act 1993”.

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

The London Local Authorities Act 1990 (c.vii)

- 27 In section 4 of the London Local Authorities Act 1990, in the definition of “night cafe”, for “section 4 of the Charities Act 1960” and “subsection (4) thereof” there shall be substituted respectively “section 3 of the Charities Act 1993” and “subsection (5) thereof”.

The London Local Authorities Act 1991 (c.xiii)

- 28 In section 4 of the London Local Authorities Act 1991, in the definition of “establishment for special treatment”, for “section 4 of the Charities Act 1960” and “subsection (4) of that section” there shall be substituted respectively “section 3 of the Charities Act 1993” and “subsection (5) of that section”.

The Charities Act 1992 (c. 41)

- 29 (1) The Charities Act 1992 shall be amended as follows.
- (2) In section 29(2)(b) after “Act” there shall be inserted “or section 18 of the Charities Act 1993”.
- (3) In section 30(1)(b) after “Act” there shall be inserted “or section 22(1) of the Charities Act 1993”.
- (4) In section 30(3)(a) after “Act” there shall be inserted “or section 18 of the Charities Act 1993”.
- (5) In section 58(1), in the definition of “charity” for “the Charities Act 1960” there shall be substituted “the Charities Act 1993” and in the definition of “company” for the words after “section” there shall be substituted “97 of the Charities Act 1993”.
- (6) In section 63(2) for “section 4 of the Charities Act 1960” there shall be substituted “section 3 of the Charities Act 1993”.
- (7) In section 72 for subsection (5) there shall be substituted—
- “(5) Section 89(1), (2) and (4) of the Charities Act 1993 (provisions as to orders made by the Commissioners) shall apply to an order made by them under this section as it applies to an order made by them under that Act.
- (6) In this section “charity” and “charitable purposes” have the same meaning as in that Act.”
- (8) In section 74 after subsection (3) there shall be inserted—
- “(3A) Any person who knowingly or recklessly provides the Commissioners with information which is false or misleading in a material particular shall be guilty of an offence if the information is provided in circumstances in which he intends, or could reasonably be expected to know, that it would be used by them for the purpose of discharging their functions under section 72.
- (3B) A person guilty of an offence under subsection (3A) shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction or indictment, to imprisonment for a term not exceeding two years or to a fine, or both.”

Other amendments

- 30 In the following provisions for “the Charities Act 1960” there shall be substituted “the Charities Act 1993”—
- The National Health Service Reorganisation Act 1973 section 30(5).
 - The Consumer Credit Act 1974 section 189(1).
 - The Rent (Agriculture) Act 1976 section 5(3)(f).
 - The Rent Act 1977 section 15(2)(b).
 - The National Health Service Act 1977 section 96(2).
 - The Dioceses Measure 1978 section 19(4).
 - The Ancient Monuments and Archaeological Areas Act 1979 section 49(3).
 - The Greater London Council (General Powers) Act 1984 section 10(2)(n).
 - The Local Government Act 1985 section 90(4).
 - The Housing Act 1985 sections 525 and 622.
 - The Landlord and Tenant Act 1987 section 60(1).
 - The Education Reform Act 1988 sections 128(5) and 192(11).
 - The Copyright, Designs and Patents Act 1988 Schedule 6 paragraph 7.
 - The Housing Act 1988 Schedule 2 Part I Ground 6.
 - The University of Wales College of Cardiff Act 1988 section 9.
 - The Imperial College Act 1988 section 10.
 - The Local Government and Housing Act 1989 section 138(1).