

## SCHEDULE 2

### TRANSITIONAL PROVISIONS AND SAVINGS

#### **Persons acting as charity trustee or trustee while disqualified**

4.—(1) The Commission may not make any order under section 73(4) of the 1993 Act which would require a person (“P”) to—

- (a) repay to a foundation or voluntary school charity the whole or part of any relevant sum received by P by way of remuneration or expenses; or
- (b) pay to that charity the whole or part of the monetary value of any relevant benefit in kind received by P.

(2) For the purposes of this paragraph—

- (a) a sum by way of remuneration or expenses or a benefit in kind received by P is a relevant sum or benefit in kind if it is received by P in connection with P’s acting as a charity trustee of or trustee for the foundation or voluntary school charity at any time—
  - (i) before 1st August 2011; and
  - (ii) when P was disqualified by section 72 of the 1993 Act for acting as such a trustee; and
- (b) it does not matter whether the sum or benefit is received by P before, on or after 1st August 2011.