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**Changes to legislation:** Charities Act 2011, Part 2 is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 8

#### TRANSITIONALS AND SAVINGS

#### PART 2

#### RECREATIONAL ETC. PURPOSES

##### *General*

- 9 In this Part of this Schedule “the 1958 Act” means the Recreational Charities Act 1958.
- 10 (1) Where section 2 of the 1958 Act applied to any trusts immediately before the day on which section 5(3) of the Charities Act 2006 came into force, the repeal by this Act of paragraph 2 of Schedule 10 to the 2006 Act does not prevent the trusts from continuing to be charitable if they constitute a charity in accordance with section 1(1) of this Act.
- (2) Sub-paragraph (1)—
- (a) affects the law of Scotland only so far as it affects the construction of references to charities or charitable purposes in enactments which relate to matters falling within Section A1 of Part 2 of Schedule 5 to the Scotland Act 1998 (reserved matters: fiscal policy etc.);
  - (b) affects the law of Northern Ireland only so far as it affects the construction of references to charities or charitable purposes in enactments which relate to matters falling within paragraph 9 of Schedule 2 to the Northern Ireland Act 1998 (excepted matters: taxes and duties).
- 11 The repeal by this Act of subsections (2) and (3) of section 3 of the 1958 Act does not affect any saving in either of those subsections which is capable of having continuing effect.

##### *Scotland*

- 12 Sections 1 and 2 of the 1958 Act as in force before the commencement of section 5 of the Charities Act 2006 continue to have effect in relation to the law of Scotland so far as they affect the construction of any references to charities or charitable purposes which—
- (a) are to be construed in accordance with the law of England and Wales, but
  - (b) are not contained in enactments relating to matters falling within Section A1 of Part 2 of Schedule 5 to the Scotland Act 1998 (reserved matters: fiscal policy etc.).

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*Northern Ireland*

- 13 Sections 1 and 2 of the 1958 Act as in force before the commencement of section 5 of the Charities Act 2006 continue to have effect in relation to the law of Northern Ireland so far as they affect the construction of any references to charities or charitable purposes which—
- (a) are to be construed in accordance with the law of England and Wales, but
  - (b) are not contained in enactments relating to matters falling within paragraph 9 of Schedule 2 to the Northern Ireland Act 1998 (excepted matters: taxes and duties).

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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):

- s. 106(1)-(1B) substituted for s. 106(1) by [2022 c. 6 s. 16\(a\)](#)
- s. 322(2)(ea) inserted by [2022 c. 6 Sch. 2 para. 26](#)
- s. 331A331B and cross-heading inserted by [2022 c. 6 s. 15](#)