

Charities (Protection and Social Investment) Bill: analysis on the application of Standing Order 83L in respect of the Government amendments tabled for Commons Report stage

The following is the Department's assessment of the Bill and Government amendments to the Bill tabled for consideration at Commons Report stage.

Territorial application

1. All of the Government amendments tabled for Report stage apply to England and Wales only. The territorial application of the provisions of the Bill will not change and the provisions of the Bill will not extend and apply beyond England and Wales, as a result of the amendments.

Subject matter and legislative competence

2. All of the Government amendments that apply to England and Wales deal, in general terms, with charities. In relation to Scotland, charities are not reserved to the UK Government under the Scotland Act 1998 (Schedule 5). In relation to Northern Ireland, charities are not an excepted matter or a reserved matter under the Northern Ireland Act 1998 (Schedules 2 and 3). There are examples of charities legislation made by the devolved administrations in Scotland and Northern Ireland: the Charities and Trustee Investment (Scotland) Act 2005 and the Charities Act (Northern Ireland) 2008. Charities are not devolved to the National Assembly for Wales under the Government of Wales Act 2006.

The above assessment is presented in tabular form below.

Table: Report stage Government amendments (Commons)

Provision	England		Wales		Scotland		Northern Ireland	
	Extends to E & W and applies to England?	Extends to E & W and applies to Wales?	Is the matter devolved in Wales?	Applies to Scotland?	Is the matter devolved in Scotland?	Applies to Northern Ireland?	Is the matter devolved in Northern Ireland?	
Clauses 1-17	Yes	Yes	No	No	Yes	No	Yes	