

OSCR – charity law consultation

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The Scottish Government has opened a [consultation](#) on charity law reform, closing on 1 April 2019.

The topics consulted on include a requirement for 'all charities in the Scottish Charity Register to have and retain a connection in Scotland'.

The specifics of any such requirement will be particularly relevant to organisations traditionally based in England and Wales but operating throughout the UK.

The aim of the measure seems to be preventing jurisdiction shopping and increasing the OSCR's role in maintaining oversight of charities. In the consultation documents, it is envisaged that 'connection' will be defined so as to include cross-border charities, such as those registered in England and Wales.

The other main proposals in the consultation are primarily aimed at transparency and enhancing the role of the OSCR as the regulator of Scottish charities, for example, allowing the OSCR to undertake specific positive action to remove charities from the register.


We would encourage all charities registered in England and Wales and Scotland to consider the recommendations in this consultation and keep track of any changes in the law arising from it.


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