

Charities (Protection and Social Investment) Bill [HL]

AMENDMENTS
TO BE MOVED
IN GRAND COMMITTEE

Clause 2

BARONESS BARKER
LORD WALLACE OF SALTAIRE

Page 2, line 6, leave out “how” and insert “when and where”

Clause 3

BARONESS BARKER
LORD WALLACE OF SALTAIRE

Page 3, leave out lines 3 to 6

Clause 9

BARONESS BARKER
LORD WALLACE OF SALTAIRE

Page 8, leave out lines 26 and 27

Clause 10

BARONESS BARKER
LORD WALLACE OF SALTAIRE

Page 11, leave out lines 9 to 13

Clause 13

LORD HODGSON OF ASTLEY ABBOTTS

Insert the following new Clause –

“New rules for social sector organisations

- (1) The Secretary of State may by regulations made by statutory instrument set out rules for the communication of financial promotions by –
 - (a) a charity,
 - (b) any other body regulated under the Charities Act 2011.
- (2) The organisations set out in subsection (1) shall be defined as “social sector organisations”.
- (3) In making any such regulation, the Secretary of State shall have regard to –
 - (a) the desirability of creating rules which are proportionate to the nature, scale and capacity of social sector organisations and which are easy to understand and follow;
 - (b) the desirability of creating rules which support the growth, development and financing of social sector organisations and which are enabling and facilitative;
 - (c) the desirability of facilitating, where appropriate, direct investment on the part of consumers in social sector organisations which are local to the consumer;
 - (d) the desirability of a consistency of approach in the regulatory treatment of communications made by different forms of social sector organisations;
 - (e) the differing expectations that consumers may have in relation to different kinds of investment or other transaction; and
 - (f) the desirability, where appropriate, of the Financial Conduct Authority exercising its functions in a way that recognises differences in the nature of, and objectives of, businesses carried on by different persons subject to requirements imposed by or under the Financial Services and Markets Act 2000.”

LORD BORWICK

Page 16, line 11, leave out “directly”

After Clause 13

LORD HODGSON OF ASTLEY ABBOTTS

Insert the following new Clause –

“Appeals and applications to Tribunal

- (1) The Charities Act 2011 is amended as follows.
- (2) For section 319(2)(b) substitute –
“(b) any trustee of a registered charity.”
- (3) For section 321(2)(b) substitute –
“(b) any trustee of a registered charity.”

After Clause 13—*continued*

- (4) Omit column 2 of Schedule 6.”

Insert the following new Clause—

“Marketing of social investments

- (1) The Financial Services and Markets Act 2000 (Financial Promotion) Order 2005 (S.I. 15929/2005) is amended as follows.

- (2) For article 35, substitute—

“35 Social sector organisations

- (1) Any communication which is communicated by—
(a) a charity, or
(b) any other body regulated under the Charities Act 2011,
shall not be subject to this Order.

- (3) In Schedule 1, Part II omit paragraph 14(2)(b) and (3)(c).”

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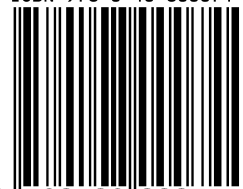
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