POLICY NOTE

THE CORPORATE INSOLVENCY AND GOVERNANCE ACT 2020 (MEETINGS OF SCOTTISH CHARITABLE INCORPORATED ORGANISATIONS) (CORONAVIRUS) (NO. 2) REGULATIONS 2020

SSI 2020/421

The above instrument was made in exercise of the powers conferred by paragraph 2(2)(b) of Schedule 14 of the Corporate Insolvency and Governance Act 2020. The instrument is subject to made affirmative procedure.

Purpose of the instrument: to amend the end date of the "relevant period" in paragraph 2(1)(b) of schedule 14 of the Corporate Insolvency and Governance Act 2020 from 30 December 2020 to 30 March 2021.

Policy Objective

To allow Scottish charitable incorporated organisations (SCIOs) more flexibility as to when and how general meetings (such as annual general meetings) and some other meetings are held.

The Corporate Insolvency and Governance Act 2020 allows SCIOs to hold such meetings remotely (regardless of whether that is permitted by their constitutions) in the "relevant period".

The "relevant period" began with 26 March 2020 and (as amended by the Corporate Insolvency and Governance Act 2020 (Meetings of Scottish Charitable Incorporated Organisations) (Coronavirus) Regulations 2020) will end with 30 December 2020. This instrument will further amend when the "relevant period" will end for SCIOs to 30 March 2021. The amendment will allow SCIOs to hold meetings remotely until 30 March 2021.

Consultation

The Scottish Charity Regulator (OSCR) as the sole regulator and registrar of SCIOs was consulted. OSCR were supportive of the amendment to the "relevant period". Given the narrow focus of these Regulations wider consultation was not required.

Impact Assessments

A Business and Regulatory Impact Assessment and an Equalities Impact Assessment have not been undertaken for the instrument as it does not seek to introduce new policy only to further extend the relevant time period for SCIOs to hold remote members meetings.

Financial Effects

The Cabinet Secretary for Communities and Local Government confirms that no BRIA is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government

Local Government and Communities Directorate

December 2020