

Declaration by Charity Trustees

In this form we ask for the full name (including previous or alternative names), address, occupation, date of birth and signature of every person who will be a charity trustee. We ask for this information so that we can identify the charity trustees and can contact them if necessary.

We ask each of the trustees to sign the declaration. This declaration must accompany your application. Fields marked with an * must be completed. If any information marked * is not included we will return the form for completion. This may delay your application.

We will carry out random spot checks of this information against various databases (for example, those of Companies House and the Accountant in Bankruptcy's Register of Insolvencies) to satisfy ourselves that the individuals are not disqualified from acting as charity trustees.

We ask that the prospective charity trustees declare that they are not disqualified from serving as charity trustees. **Anyone who acts as a charity trustee while disqualified is guilty of an offence punishable by imprisonment, or a fine, or both.** Sections 69 and 70 the Charities and Trustee Investment (Scotland) Act 2005 set out the circumstances that would disqualify an individual. In general terms if a person has been convicted of an offence involving dishonesty, or of an offence under the Act, or is an undischarged bankrupt, they may not serve as a charity trustee. Nor may they do so if they have been removed from serving as a charity trustee, or from acting in a management position within a charity, under previous charity law; nor if they have been disqualified from serving as a Company Director. A person is not disqualified if their conviction is spent by virtue of the Rehabilitation of Offenders Act 1974.

If you are uncertain whether or not you are disqualified please ask us. We may, on application from the person disqualified, issue a waiver, which may either lift the disqualification generally, or specifically in relation to a particular charity or type of charity.

We consider it of great importance that charity trustees are made aware of the duties and responsibilities of their position at the outset. Section 66 of the Charities and Trustee Investment (Scotland) Act 2005 sets out the general duties of charity trustees, who must

- act in the interests of the charity, putting its interests before their own interests or those of any other person or organisation
- seek, in good faith, to ensure that the charity operates in a manner that is consistent with its objects or purposes
- act with the care and diligence that is reasonable to expect of a person who is managing the affairs of another person
- ensure that the charity complies with the provisions of the Act.

Any breach of these duties will be treated as misconduct in the administration of the charity.

We ask for the date of birth of each trustee for two reasons. We need to ensure that each trustee is over the age of 16 as those under the age of 16 do not as a general rule have the legal capacity to enter into the transactions associated with being a charity trustee. We also need to be able to distinguish between trustees who have the same name and address.

The information supplied on this form is for internal purposes only and will not appear on the public register. **Providing us with information which you know or suspect to be false may be a criminal offence under section 26 of the Charities and Trustee Investment (Scotland) Act 2005.**

Each prospective charity trustee needs to sign this declaration. If you need further copies of this declaration form they can be obtained from our website, from us on request, or you may photocopy additional pages if you prefer.

Declaration by Charity Trustees

PLEASE COMPLETE IN CAPITAL LETTERS (forms which are not legible may be returned)

*Name of organisation in full

*Number of charity trustees

We, the undersigned, declare that:

- We are willing to act as charity trustees in respect of the above-named organisation and are fully aware of the organisation's purpose as set out in the form (see Application for Charitable Status) and of our duties and responsibilities as charity trustees.
- We are not disqualified from acting as a charity trustee (see sections 69 and 70 of the Charities and Trustee Investment (Scotland) Act 2005).

Charity Trustee

Title

*Personal name

*Family name

Suffix

*Address Line 1

Address Line 2

Address Line 3

Address Line 4

Address Line 5

*Postcode

*Date of birth

*Signature

Other names – please list all previous and other current names by which you are or have been known (eg name before marriage)

*Personal name

*Family name

Occupation

Charity Trustee

Title

*Personal name

*Family name

Suffix

*Address Line 1

Address Line 2

Address Line 3

Address Line 4

Address Line 5

*Postcode

*Date of birth

*Signature

Other names – please list all previous and other current names by which you are or have been known (eg name before marriage)

*Personal name

*Family name

Occupation

Charity Trustee

Title

*Personal name

*Family name

Suffix

*Address Line 1

Address Line 2

Address Line 3

Address Line 4

Address Line 5

*Postcode

*Date of birth

*Signature

Other names – please list all previous and other current names by which you are or have been known (eg name before marriage)

*Personal name

*Family name

Occupation