

Charity Reorganisation – Summary of Application

Type of Scheme

Seaforth Sanatorium (SC010292) (“the charity”) has applied to the Office of the Scottish Charity Regulator (OSCR) for approval of a reorganisation scheme for a variation of the constitution of the charity (whether or not in relation to its purposes) under section 42(3)(a) of the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act).

The charity was established by the Constitution, Rules and Regulations dated 09 February 1910 of The Seaforth Sanatorium for Phthisis founded by the Right Honourable Mary Margaret, Baroness Seaforth of Brahan in Urray, and the Right Honourable James Alexander Francis Humberston, Baron Seaforth both now deceased, as amended by two memoranda of alterations dated 20 June 1923 and 10 February 1931.

The Trustees are seeking to make a variation to the original Constitution, Rules and Regulations dated 9th February 1910 and amended 20th June 1923 and 10 February 1931, via a Supplemental Deed of Trust. The Trustees propose to introduce new powers to make future amendments to the Constitution, Rules and Regulations as well as the power to dissolve.

Reasons for reorganisation

The Trustees believe the original Trust Deed requires amendments in order to provide the Trustees with necessary powers to allow for immediate and any further administrative changes (including that of its purposes) that may be required in order to better administer the trust and its property, providing all future changes are within the spirit of the Constitution, Rules and Regulations.

The Trustees suggest that this change will ensure the Trustees are able to plan for the ongoing management of the trust and ensure that Trustees are able to plan for its long-term succession.

Reorganisation conditions

The Trustees suggest that the following reorganisation condition is met:

- Section 42(2) (d) that it is desirable to introduce a provision (other than a provision setting out a new purpose) to a charity's constitution.

The Trustees suggest the condition is met because the current Constitution, Rules and Regulations, do not possess appropriate powers or provisions for the Trustees to make amendments.

Reorganisation outcomes

The Trustees suggest that the following reorganisation outcome is met:

- Section 39(1) (b) (ii) that the proposed reorganisation scheme will enable the charity to be administered more effectively.

The Trustees suggest the outcome is met because the introduction of new powers, as proposed in the draft supplemental trust deed will provide the Trustees with updated and appropriate controls to use at their discretion to ensure the effective management and administration of the charity.

How to make a representation in relation to the proposed reorganisation scheme

Any person may make a representation to OSCR either supporting or opposing this proposed reorganisation scheme. Should you wish to make a representation, you may do so by writing to OSCR providing the following information:

- Your name and address
- The name of the charity concerned
- The nature of the representation and reasons for it

These are the terms of Regulation 5 of the Charities Reorganisation (Scotland) Regulations 2007).

Representations should be sent to OSCR by post or email

Postal: OSCR
2nd Floor Quadrant House
Riverside Drive
Dundee
DD1 4NY

Email: info@oscr.org.uk

Representations can be made up to 14 days following the end of the publication period. The latest date for the receipt of representations is **09/10/2026**.

We cannot accept representations via social media channels.

Copies of any representations will be provided to the applicant charity for comment. If you do not wish the charity to be provided with your personal details, please indicate this in your representation.

Personal details will otherwise be disclosed to the applicant charity.

Please contact us by email or by telephone on 01382 220446 if you have any questions about the submission of a representation.

OSCR
28/08/2026