Restricted Fund Reorganisation – Summary of Application

Introduction to Proposed Scheme

The National Trust for Scotland (SC007410) has applied to the Office of the Scottish Charity Regulator (OSCR) for approval of a restricted funds reorganisation scheme for the variation or removal of any condition imposed on the charity in relation to the use of the restricted funds under section 43A of the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act).

The name of the restricted fund is the 'Andrew Scott Finnie Bequest.' The fund was established in 1987 by the last Will and Testament of Mr Finnie. The purpose of the fund was a gift of a Pleyel Piano for the benefit of musicians giving recitals etc in the Grampian area.

Reasons for reorganisation

The Trustees have explained that the piano was displayed at the Trust's property at Hutcheson's Hall in Glasgow from its acquisition in 1987 before being loaned to Cottiers Theatre in Glasgow circa 2008. Cottiers Theatre brought the loan to an end in 2022, at which time the piano was moved into commercial storage.

The Trustees have further explained that a recent review carried out in line with the Trust's relevant guidelines found that the piano is not suitable for public display in any of the charity's properties. The review found that the piano does not meet the Trust's collecting policy because it is not original to any of the properties or essential to the stories of the properties held by the Trust. The Trustees have advised that the piano cannot be used in pursuance of the Trust's charitable purposes and the Trust is currently incurring a cost to keep it in storage.

Therefore, the Trustees seek to reorganise the restricted fund by removing the restriction to allow the piano to be sold and with the net proceeds of the sale to be applied to support the care and management of the Trust's collections.

Reorganisation conditions

The charity is applying for reorganisation because it considers that the following condition from Section 43A(2) of the 2005 Act apply:

(a) That some or all of the purposes of the restricted funds:

iv. have ceased in any other way to provide a suitable and effective method of using the funds, having regard to the spirit of the restricted funds' purposes.

The Trustees suggest that this condition is met because the piano is not suitable for public display in the Trust's properties as it does not fulfil the conditions of the Trust's Collection Policies.

Reorganisation Outcome

The Trustees suggest that the restricted fund reorganisation will enable the resources of the restricted fund to be applied to better effect for charitable purposes consistently with the charity's constitution.

The Trustees suggest that this outcome is met because the piano is not suitable for public display in the Trust's properties as it does not fulfil the conditions of the Trust's Collection Policies. Its storage is incurring monthly fees. Disposal of the object by sale would raise funds for the Trust which would support the care and management of the Trust's collections.

The Trustees have declared that they have been unable to ascertain the wishes of the donor in respect of the restricted fund. This is because the donor is no longer living. The gift arose as a result of a bequest.

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 (or email address)
- The name of the charity concerned
- The nature of the representation and reasons for it

These are the terms of Regulation 7 of the Charities Restricted Funds Reorganisation (Scotland) Regulations 2012.

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 **28/10/2026**.

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
16/09/2026