

# Restricted Fund Reorganisation – Summary of Application

## Introduction to Proposed Scheme

The Beatson Cancer Charity (SC044442) has applied to the Office of the Scottish Charity Regulator (OSCR) for approval of a restricted fund reorganisation scheme for:

- The variation of the purpose for which restricted funds may be used

under section 43A of the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act).

The purpose of the MRI Fund was to support the Beatson West of Scotland Cancer Centre's plans to develop an enhanced MRI Radiotherapy Planning Service through a new MRI scanner, the refitting of the bunker room in the MR suite (this bunker will house the new MRI scanner) and staff costs.

The literature on the various fundraising initiatives explicitly stated that all donations would be used specifically to develop an enhanced MRI Radiotherapy Planning Service and, in particular, to purchase an MRI scanner.

## Reasons for reorganisation

The purchase of the new MRI scanner and refitting of the bunker room are complete. The new MRI Suite was opened by the Cabinet Secretary for Health and Social Care on 26 May 2022.

Beatson Cancer Charity wants to change the fund's purpose to purchase medical equipment that will provide more advanced, effective, and safer treatment for cancer patients.

## 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:
  - i. have been fulfilled as far as possible or adequately provided for by other means,

The trustees suggest that this condition is met because:

As a capital construction project, the MRI Fund incorporated contingency funds. These contingencies amounted to £200,000 which were subsequently not required and has resulted in there being a restricted balance of £191,321.

With the completion of the MRI room, the purpose of the MRI Fund has been fulfilled with the contingency unspent.

## **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 charity's core purpose is to enhance and improve cancer patients' experience, treatment and outcomes, particularly at The Beatson West of Scotland Cancer Centre (The Beatson).

Repurposing these funds will increase the charity's ability to fund the purchase of medical equipment, which will provide additionality to The Beatson. The trustees suggest this will support their purpose and provide more advanced, effective, and safer treatment for cancer patients in the West of Scotland.

The trustees have declared that they have been unable to ascertain the wishes of the donors in respect of the restricted fund. This is because these funds were secured as part of a large-scale public appeal, including direct mailing, online donations, community groups, corporate supporters, individuals and charitable trusts. The trustees suggest that to dissect this volume and value of donations to identify which individual donations/donors it is comprised of would be incredibly challenging, if not impossible.

## **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  
2<sup>nd</sup> Floor Quadrant House  
Riverside Drive  
Dundee  
DD1 4NY

Email: [info@oscr.org.uk](mailto: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 4 June 2025.

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**  
**23 April 2025**