

Charity Reorganisation – Summary of Application

Type of Scheme

Dr William Henderson Mortification Trust ('the Trust') (SC001906) has applied to the Office of the Scottish Charity Regulator (OSCR) for approval of a reorganisation scheme for a transfer of the property of the charity (after satisfaction of liabilities) to another charity under section 42(3)(b) of the Charities and Trustee Investment (Scotland) Act 2005 (the 2005 Act).

The trustees propose to transfer the assets of the charity to: Perth Society for the Support of the Indigent (SC052193)

Reasons for reorganisation

The present Trust was created under the Trust Disposition and Settlement and Codicil by Doctor William Henderson dated 28th May and 6th June and registered 21st October 1870.

The purpose of the Trust is to provide support to indigent old men who are natives of and resident in the County of Perth and are not under the age of sixty years.

The Trust criteria has long become outdated and no beneficiaries have been found within the last few years. The Trustees are now elderly or retired or are deceased. New Trustees cannot be found to replace them

It is therefore the wish to bring the Trust to an end and transfer the assets of the Trust to a new SCIO set up earlier this year; Perth Society for the Support for the indigent (SC052193) which is established with the purpose of 'the prevention and/or relief of poverty for people in need by reason of age, ill health, disability or other disadvantage and who are resident in Perth and surrounding area'.

Reorganisation condition

The trustees suggest that the following reorganisation conditions are met:

42(2)(a)(ii) that some or all of the purposes of the charity can no longer be given effect to (whether or not in accordance with the directions or spirit of its constitution

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The Scottish Charity Regulator, Quadrant House, 9 Riverside Drive, Dundee DD1 4NY



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The trustees suggest the conditions are met because:

It has been impossible over the past few years to find beneficiaries to the Trust due to the restrictive nature of selection criteria.

Reorganisation outcome

The trustees suggest that the following reorganisation outcome is met:

39(1)(b)(i) that the proposed reorganisation scheme will enable the resources of the charity to be applied to better effect for charitable purposes consistently with the spirit of its constitution, having regard to changes in social and economic conditions since it was constituted

The trustees suggest the outcomes is met because:

The new SCIO set up is a reorganisation of a previous existing Trust, The Perth indigent Old Men's Society. The new body, whilst keeping the charitable purpose, has been updated taking into account changes in the social and economic climate of modern life and indeed brings equality for the Trust between men and woman.

It is felt that passing of the assets of the Dr William Henderson Mortification Trust to this new organisation is in line with the true spirit of the Trust and modern times. Approach has been made to the Trustees of the new SCIO who are in agreement with the transfer of assets.

Further Information

Further information on this application for charity reorganisation may be made available, upon request. Please contact the Office of the Scottish Charity Regulator on 01382 220446 and ask to speak to a member of staff in the Charities Team for further details.

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.

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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).

All representations should be sent to OSCR at the following address:

OSCR – Charity Reorganisations
2nd Floor Quadrant House
Riverside Drive
Dundee
DD1 4NY

Representations can be made up to 14 days following the end of the publication period. The latest date for the receipt of representations is 18/06/2024.

We **cannot** accept representations through Twitter.

A copy 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.

OSCR
07/05/2024

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