

## **Charity Reorganisation – Summary of Application**

### **Type of Scheme**

Maltmen's Society of Paisley (SC007131) ('the charity') 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 Maltmen's Society of Paisley is an unincorporated association created by a charter in 1704, drawn up by the magistrates and Council Paisley. The Maltmen's Society of Paisley was established under the modern charitable purpose of the relief of those in need by reason of age, ill-health, disability, financial hardship or other disadvantage. Membership to the charity was restricted to those of the Maltmen trade.

The trustees propose to transfer the assets of the charity to: Maltmen's Society of Paisley SCIO (SC052206)

### **Reasons for reorganisation/Background to Reorganisation**

The trustees suggest that membership has declined over the years and it has now become difficult for the charity to find appropriate beneficiaries to support. The charity's accounts for the year ending 15 September 2021 provide that there were only two beneficiaries during the year. However following the death one of the beneficiaries after the year end there is now currently one beneficiary remaining. The trustees continue seeking additional beneficiaries.

The constitution is written in Old Scots, is unsigned and the membership of the charity has dwindled in number. The trustees therefore wish to modernise the constitution and widen the beneficiary group to benefit the most disadvantaged in the community.

### **Reorganisation condition(s)**

The trustees suggest that the following reorganisation condition(s) is 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)

The trustees suggest the condition(s) is met because:

The original purpose of the charity was to provide assistance to the family members of Maltmen. The trustees state the number of suitable beneficiaries has continued to

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remain low for many years as the number of those who meet the requirements dwindles. In the year to 15 September 2021 there were only two beneficiaries. Therefore the trustees state that it has become increasingly difficult to fully disperse the charity's resources as a result. Further the trustees add the purposes do not therefore reflect the way the charity requires to run. The charity requires modernisation and the activities must be consistent with the needs of the community and in line with public benefit.

The charitable purposes of the Maltmen's Society of Paisley SCIO (SC052206) are set out in the following extract of their constitution:

3.1 The charitable purposes of the SCIO ("the Charitable Purposes") are: -

3.1.1 The relief of those in need, including existing alimentars, by reason of age, ill health, disability, financial hardship or other disadvantage through the provision of grant giving activities and shall support financially and otherwise (but not limited to) education, training, professional development to good causes, individuals in need, organisations in the Paisley and Renfrewshire areas;

3.1.2 To advance education through the provision of training activities, materials and information through a variety of mediums through a range of project, initiatives and activities which stimulate employment, self-employment and skills amongst people resident within said areas;

3.1.3 The prevention or relief of poverty through support for the provision of skills and advancing the employability prospects of residents of said areas in particular those who find it difficult to obtain employment;

3.1.4 To co-operate with other charitable organisations in Paisley and Renfrewshire and to support financially and otherwise, other charitable appeals and projects for the benefit of the people of Paisley and Renfrewshire.

### Reorganisation outcome(s)

The trustees suggest that the following reorganisation outcome(s) 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 outcome(s) is met because:

In the year ending 15 September 2021 the charity had available funds of £481,671 but were only able to expend £6,064 on charitable activities due to the dwindling number of beneficiaries. By allowing the charity to transfer its property to the new

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SCIO it will allow the charity to utilise its resources by undertaking more activities. The proposed reorganisation would also allow the trustees to minimise their liability, and have a more structured and more effective governance.

### **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. 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 **13 March 2023**.

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  
30/01/2023**

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