

# Application for Consent to Wind-up or Dissolve a Charity

## Section 16(2)(c) of the Charities and Trustee Investment (Scotland) Act 2005

Please read 'Making Changes to your Charity' on the OSCR website at [www.oscr.org.uk](http://www.oscr.org.uk) before completing this application form. This form is not applicable if you are applying to dissolve a Scottish Charitable Incorporated Organisation (SCIO). Some of the information you give in this form will become publicly available on the Scottish Charity Register. These sections are marked below with an asterisk (\*).

### Q1. Charity registration details

Charity name \*

Scottish Charity Number \*

## Q1a. Charity contact details

OSCR must keep a register of charities known as the “Scottish Charity Register” (“the Register”). Under the 2005 Act the Register **must** contain a separate entry for each charity entered in it which contains the **principal office of the charity, or where it does not have such an office, the name and address of one of its charity trustees.**

The principal office address can be your charity’s address, the address of a third party acting on your behalf, or any other address you choose. However, it must be an address at which you will be able to deal with all the official letters and notices you receive from OSCR.

Where the charity does not have a principal office, then you should provide us with the name and address of an individual who is a charity trustee.

OSCR will direct its communication to the principal office of the charity or the specified charity trustee. Information received from OSCR should be shared with all the charity trustees, as they are jointly responsible for managing the charity.

You must let us know if there are any changes to the details you have provided in this section to make sure that the charity will continue to receive important information from us, and that the information entered in the charity’s entry in the Register is up to date. **You** can update these changes using **OSCR online**.

### Charity contact details\*

Title	<input type="text"/>	First name	<input type="text"/>
		Last name	<input type="text"/>
Position in the charity	<input type="text"/>		

Principal office address or trustee’s home address

Address\*

<input type="text"/>	
Postcode*	<input type="text"/>

Please enter P or T in the box to identify if this is the principal office or charity trustee’s address

Tel no.

Mobile no.

Email

**We will usually contact you by email.**

**Q1b. Your charity's website address (if you have one)**

**Q1c. New charity contact details**

If the contact details have changed, have these been updated in [OSCR online](#)?

Yes

If yes what date were the changes made?

No

If no, tell us why you have not made the changes in OSCR online:

**Q1d. Withholding the principal office or charity trustee name and address from the Scottish Charity Register**

Under **Section 3(3)(b)** of the 2005 Act each charity's entry in the Register is required to include the principal office of the charity or, where it does not have such an office, the name and address of one of its charity trustees.

Under section 3 (4) of the 2005 Act an organisation has the right to ask us not to publish its principal office or trustee's name and address on the publicly available Scottish Charity Register.

We can only exclude the details from the Register if we believe that publishing this information is likely to jeopardise the safety or security of any person or premises. **We would not normally withhold an address simply because it is a home address.**

OSCR requires that the charity explores alternative options for the principal office of the charity or name and address of one of its charity trustees, before we consider any request for withholding these from the Register. For example, using an alternative charity trustees' contact details or a P.O. Box.

If you consider that the address should not be shown on the Register, please explain why:

## Q2. Applicant details and/or correspondence address for this application

Please only enter details here if the applicant is not the same as the charity contact, or if correspondence for this application should be addressed to a different address from the charity contact address at Q1a.

Title	<input type="text"/>	First name	<input type="text"/>
		Last name	<input type="text"/>
Address	<input type="text"/>		
	Postcode		<input type="text"/>
Tel no.	<input type="text"/>		
Mobile no.	<input type="text"/>		
Email	<input type="text"/>		

### Q3. Powers

Please state which clause in your governing document will allow you to wind-up or dissolve the charity.

If the governing document has no explicit provision but otherwise has the powers to wind-up or dissolve (e.g. under the Companies Act) please provide the details.

### Q4. Effective date of the winding-up or dissolution

Please state when you intend the proposed action to take effect (for example, this may be when your next AGM takes place). At least 42 days' notice is required under section 16 (4) of the 2005 Act.

D	D
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M	M
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Y	Y	Y	Y
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### Q5. Details of wind-up or dissolution

Q5a. Is this charity being replaced by a new charitable company or SCIO?

Yes  No

If yes, provide the new charity name and number

Charity name

Number

Please now continue to complete the rest of the form.

**Q5b. If no, please state why the charity wishes to wind-up or dissolve**

**Q5c. Details of assets and liabilities**

Using the table below, please provide us with full details of the assets and liabilities held by your charity at the time of making this application (if any of the headings do not apply, please say so):

<b>Type of asset</b>	<b>Statement required</b>	<b>Assets held by charity</b>
Cash at bank and in hand	All cash held in pounds sterling	
Land and buildings	List of all land and buildings held with most recent valuation if available	
Motor vehicles	List of all motor vehicles held with approximate market valuation	
Furniture, fixtures and fittings	List of all furniture, fixtures and fittings (including computer equipment) with approximate market valuation	
Shares	Name of each company in which shares are held, with number and type of shares held and most recent valuation if available	
Investments	List of other investments held (excluding shares) with cash value or most recent valuation	
Recoverable grants and loans due to the charity	List of all grants and loans due with their cash value	
Tax reclaims due to the charity	Cash value of tax reclaims due (including Gift Aid)	

Other debts due to the charity	List of any other amounts due to the charity with their cash value	
<b>Type of liability</b>	<b>Statement required</b>	<b>Liabilities of charity</b>
Loans owed by the charity (including bank loans and loans to other organisations or individuals)	Most recent statement of balance in pounds sterling	
Recoverable grants owed by the charity	List of all grants held by the charity which are to be returned to the funder with their cash value	
Pension scheme	Most recent statement of pension liability for the charity in pounds sterling. This should be as per the last valuation of the pension scheme	
Hire purchase or leases	Most recent statement of balance in pounds sterling	
Tax owed by the charity	Cash value of tax owed (including PAYE, National Insurance contributions and VAT)	
Other debts owed by the charity	List of any other debts owed with their cash value	

**Q5d. Please provide details of any money or equipment which must be returned to grant-giving bodies, funders or parent bodies under the terms of the original funding**



## Q6. Distribution of assets

Please state the names and charity numbers (if applicable) of any organisations to whom remaining assets will be distributed. If the organisation is not a charity, then please provide details of its purposes. Please make sure that the proposed distribution of the remaining assets is in line with the terms of your governing document.

## Q7. Consent from other regulators

Please tell us if you are registered with any other regulators or other bodies, and if you require consent from them in relation to the proposed winding up or dissolution.

Regulator name	Reference number	Consent required? (Please tick)

## Data protection statement

OSCR is a registered data controller in terms of the Data Protection Act 1998. Any information you give us will be held securely and in accordance with the rules on data protection. OSCR processes information only in accordance with its statutory regulatory functions under the Charities and Trustee Investment (Scotland) Act 2005, and to inform research into the charity sector in Scotland. Information may be shared with other regulatory bodies including HMRC, and selected information will appear on the Scottish Charity Register. Further information about data protection is available on the OSCR website.

## Declaration

**It is an offence to knowingly provide incorrect information.**

**You may be committing an offence if you give an answer that you know is untrue or misleading.**

I certify that the information entered in this form is correct to the best of my knowledge.

I confirm that the information entered has been approved by the charity trustees and I am authorised to submit this information.

Signed by one of the trustees on behalf of all

Print name

Designation

Date

## Checklist

Have you:

- completed all the sections of the application form?
- included a copy of your governing document?
- signed and dated the form?

Please return the completed form and documentation to:

OSCR, 2nd Floor, Quadrant House, 9 Riverside Drive, Dundee DD1 4NY