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B L A I R C A S T L E

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Richard Arnott
Head of Charity Law Team,
Scottish Executive Voluntary Issues Unit,
Area 2-G, Victoria Quay
Edinburgh EH6 6QQ

11th August 2004

Dear Mr Arnott,

Draft Charities and Trustee Investment (Scotland) Bill

We welcome in principle the above bill and the setting up of the OSCR and would like to comment on the following points:

(s81) We have never found charity trustee a confusing term, although I believe charity steward might be.

P6 We welcome the creation of the new Charitable Incorporated Organisation, making charity re-organisation easier and widening trustees' investment powers. (s73 - 75)

P9 We particularly welcome the inclusion of 'the advancement of the arts, heritage, culture and science, as well as environmental protection or improvement' under your list of charitable purposes.

P18 We entirely agree that it is more important how charity board members act, than how they are appointed. I believe being independent from funders needs further explanation. Board members often are donors to that trust and this can be an entirely positive approach, any conflict of interest should be dealt with in 'how they act' rather than stopping donors being board members.

P31 (s38 -42) We would support measures taken to limit the liability of stewards, trustees and members.

Throughout the report we feel there is over emphasis on 'not-for-profit'. In our view profit can equal security, which in turn enables long term strategic planning and an incentive to run efficiently. Naturally the 'profit' should be reinvested in the charity to further its charitable purpose, or donated to a charity with a similar purpose.

I hope these comments are of use.

Yours sincerely,

Sarah Troughton -- trustee The Blair Charitable Trust