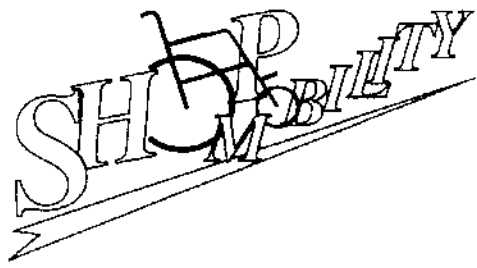


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17 August 2004

Dear Ms Watson

Draft Charities and Trustee Investments (Scotland) Bill

I refer to the above consultation, which has been considered by the Board of Fife Shopmobility Ltd. I am writing on behalf of the Board to express our views on the proposals and draft Bill.

The Board's comments, with reference to the relevant sections of the Bill, are as follows:-

Sections 7 - 8 Definition of Charity

We are happy with the Charitable Purposes test and are pleased to see that the list of 13 is drafted in sufficiently broad terms.

However, we are concerned that OSCR may have too much discretion when it comes to applying the "public benefit" test. Whilst it is appreciated that a definition could be too restrictive, it is suggested that some criteria are identified in order that charities have a better understanding of the test. It should also ensure that OSCR have a more consistent and fair approach when applying the test.

Section 19 Provision of Information

We agree that the provision of information to the public free of charge is appropriate provided this is limited to viewing documents. However, if the public require printed copies or photocopies a charge would have to be made for that service.

Section 81 Charity Stewards

The Board agreed that the term "charity steward" was unsuitable. The modern connotation of "steward" relates to flight attendant, bar personnel etc. "Steward" as/

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as defined by the Oxford English Dictionary is "*a person employed to manage an estate etc; official at a race meeting; waiter, marshall or attendant*"
We propose that a more appropriate term would be "Charity Trustee".

The Board agreed there should be restrictions on government appointments to the Boards of Charities to ensure the independence of charities.

Regarding restrictions on paid staff taking up positions on Charity boards, we thought that it should be up to the individual charity to decide this.

Section 64 Regulation of Fundraising

The Board agreed that there should be some regulation of fundraising and refer to the proposal in the consultation at page 42 – Summary RIA. Option 2 – a foundation of statutory regulation of charities, further developed by self-regulation of charity fundraising - was the preferred option, as this will improve public confidence.

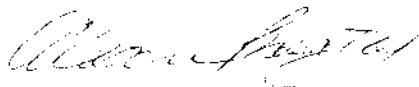
Equality Considerations

The Board agreed that OSCR should have an equal opportunities statement and have regard to equal opportunities legislation when carrying out its functions. We note that equalities organisations are being consulted on this.

Overall the proposals are welcomed and the Board is pleased that a regulatory framework is now going to be put into place and hopefully restore public confidence in the voluntary sector.

We look forward to hearing the outcome of the consultation.

Yours sincerely,



Company Secretary
Fife Shopmobility Ltd