DECLARATION BY CHARITY TRUSTEE/CORPORATE TRUSTEE

If the organisation has a corporate trustee (another organisation which acts as trustee, such as a company) its directors should complete this declaration.

In this form we ask you for some personal information. This information may be used by OSCR for the following purposes:

- to identify charity trustees;
- to carry out checks on information provided to ensure that you are not disqualified from being a trustee;
- to contact you if necessary, for example where we cannot make contact with the person the charity has named as its Principal Contact for OSCR; and
- for any other purpose in line with our Data Protection and Privacy Policy.
- Please find and read our Privacy Notice for more information relating your data as the Principal contact or a Charity Trustee.

Any personal information provided by you will be held by OSCR in accordance with the Data Protection Act 2018 and the General Data Protection Regulations. We will only use it for the purposes listed above.

The information supplied on this form is for internal purposes only and will not appear on the public Scottish Charity Register, unless you are the principal contact for the charity and the (proposed) charity **does not** have a principal office. In that case your name and address will be displayed.

Section 1 Organisation details

Proposed charity name

Section 2 Personal Details

Title

First name(s)

Last name

Previous names

Home address

Postcode

Home Tel no.

Mobile no.

Email

Date of birth

Occupation

Are you a trustee of any other charity? ☐ Yes ☐ No

If yes, please provide details of the charity name(s) and charity number (s)

Section 3 Declaration

Please read our Guidance for Charity Trustees before signing this declaration.

I declare that:

- I am willing to act as a charity trustee of the above named organisation.
- I understand the organisation's purposes and rules set out in its governing document.
- I am aware of my duties and responsibilities as a charity trustee in terms of section 66 of the Charities and Trustee Investment (Scotland) Act 2005 ('the 2005 Act').
- I am not disqualified from being a charity trustee in terms of the 2005 Act – that is:

  - I am not an undischarged bankrupt
  - I do not have an undischarged Protected Trust Deed (PTD)
  - I do not have an existing individual voluntary arrangement (IVA) to pay off debts with creditors. (This only applies to trustees living in England, Wales or Northern Ireland)
  - I am not subject to a bankruptcy related measure, that is:-

    i. I am not the subject of a bankruptcy restrictions order, interim order or undertaking under the Bankruptcy (Scotland) Act 2016, the Insolvency Act 1986 or the Insolvency (Northern Ireland) Order 1989

    ii. I am not in the moratorium period under a debt relief order under the Insolvency Act 1986 or the Insolvency (Northern Ireland) Order 1989. (This only applies to trustees living in England, Wales or Northern Ireland)

    iii. I am not the subject of a debt relief restrictions order, interim order or undertaking under either of these enactments. (This only applies to trustees living in England, Wales or Northern Ireland)

  - I am not disqualified from being a company director.

  - I have not been removed by the Court of Session under the 2005 Act (or earlier legislation) from being a charity trustee or being concerned in the management or control of any charity or body
  - I have not been removed as a trustee, charity trustee, officer, agent or employee of a charity by the Charity Commission for England and Wales ("CCEW") or the High Court in England due to misconduct or mismanagement
  - I have not been subject to a disqualification order or disqualification undertaking made by the CCEW under section 181 of the Charities Act 2011 disqualifying me as a charity trustee
  - I have not been found guilty of contempt by a Court in England and Wales in civil proceedings for making a false disclosure statement
  - I have not been removed as a charity trustee or trustee of a charity by the Charity Commission for Northern Ireland ("CCNI") or the High Court in Northern Ireland due to misconduct or mismanagement.
  - I have not been found guilty of disobedience to an order or direction of CCEW or CCNI on an application to the High Court in England or Northern Ireland

- I do not have an unspent conviction for any of the following:

    a. an offence under the 2005 Act

    b. an offence under section 77 of the Charities Act 2011

    c. an offence under section 13 or 19 of the Terrorism Act 2000

    d. an offence specified under section 41 or 42 of the Counter-Terrorism Act 2008 as an offence to which Part 4 of that Act applies

    e. a money laundering offence within the meaning of section 415 of the Proceeds of Crime Act 2002

    f. an offence under any of the following sections 1, 2, 6 or 7 of the Bribery Act 2010

    g. an offence of perverting the course of justice including in particular-

        i. false accusation of a crime

        ii. perjury

        iii. prevarication on oath

        iv. prison breaking

        v. subordination of perjury

    h. an offence of wilful neglect of duty by a public official

    i. an offence, under the law of England and Wales, of misconduct in public office

    j. any other offence involving dishonesty

    k. an offence committed by aiding, abetting, counselling, procuring or inciting the commission of any of the offences detailed above

    l. an offence committed by attempting or conspiring to commit any of the offences detailed above

- I am not a designated person under the following anti- terrorist legislation:-

    i. regulations 8 to 12 of the ISIL (Da'esh) and Al-Qaida (United Nations Sanctions) (EU Exit) Regulations 2019,

ii. regulations 11 to 15 of the Counter-Terrorism (International Sanctions) (EU Exit) Regulations 2019,

iii. regulations 11 to 15 of the Counter-Terrorism (Sanctions) (EU Exit) Regulations 2019

- I am not subject to the notification requirements of Part 2 of the Sexual Offences Act 2003 (i.e. I am not on the sex offenders register).

- **I understand that it is an offence under section 26 of the 2005 Act to knowingly or recklessly provide false or misleading information.**
- **I understand and agree that the personal information I have provided OSCR in this form may be used for the purposes listed above in line with the Data Protection and Privacy Policy.**

Signature *(Typed signatures will be accepted)*	
Print name	
Date	D D M M Y Y Y Y

Please note:

Charity trustee information is collected through OSCR Online. Providing this information is a legal requirement for all charities. See our guidance: **Managing charity trustee information in OSCR Online**.

The first and last names of charity trustees who do not have an exemption are published on the Scottish Charity Register.

For information on who is eligible for an exemption and how to apply for one, please see our **exemption guidance**.