

## *Blairmore Hall Committee seek to change its legal form with Office of the Scottish Charity Regulator (OSCR).*

This is a public consultation with the community who use the Hall. The Hall committee on advice consider that the current governing document i.e. Trust deed is no longer fit for purpose.

(A governing document (or constitution) is the document that sets up an organisation and says what its purposes are and usually how it is operated)

The proposal is to change the Hall from its current legal form of a Trust to that of an Unincorporated Association.

The objective of the change in legal form is to

1. Increase the potential for successful application for funds to develop the Hall as a community resource
2. To ensure accountability of the Hall committee in operating the Hall is appropriate and fair. That is, the development of and subsequent adoption of a constitution.

As part of the process there needs to a discussion around what our charitable purpose is

In order to pass the charitable test the Hall can only have a charitable purpose and those activities associated with the Hall must be of public benefit. (There should be no private benefit). The Hall in itself will not qualify for charitable status but rather the activities that are focussed around it.

The purposes set out in the governing document say what our organisation (based upon the Hall) has been set up to achieve, and should reflect its broad aims. This is not a description of the day-to-day activities. The governing document should show which of the 16 charitable purposes in Scottish charity law that the Hall is trying to achieve.

The following are offered for consideration and consultation the detail of which can be found at the following website address. [www.oscr.org.uk](http://www.oscr.org.uk)

### *f) The advancement of citizenship or community development*

#### Summary

This heading includes a number of purposes which focus on benefit to the community rather than the individual, by helping people to be active citizens, promoting voluntary organisations and networks, or by meeting the needs of particular communities or working to regenerate them.

These purposes include the promotion of civic responsibility, volunteering, the voluntary sector or the effectiveness or efficiency of charities, and rural or urban regeneration.

### *(g) The advancement of the arts, heritage, culture or science*

#### Summary

This section covers four purposes which we describe separately, though in practice they may overlap:

Advancement of the Arts: this can cover a wide range of imaginative, creative and expressive activities.

Advancement of Heritage: this can cover a country's local or national history and traditions, and the preservation of historic land and buildings.

Advancement of Culture: focuses on the identification, preservation or celebration of the distinctive character of a society, or group within a society.

Advancement of Science: covers a range of scientific and technological subjects including academic disciplines, research, exploration, practical experimentation and scientific debate. A charity may only advance science.

**(i) The provision of recreational facilities, or the organisation of recreational activities**

Summary

The provision of recreational facilities, or the organisation of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended.

This purpose covers a wide variety of activities, recognising that providing facilities (such as buildings) or organising activities that give people the opportunity to make constructive use of their leisure time, can be charitable.

The benefits can be available to the general public or targeted at people who might be disadvantaged in their ability to take part in recreational activities.

**(p) Any other purpose that may reasonably be regarded as analogous to any of the preceding purposes.**

Summary

This purpose recognises that economic circumstances and social needs are constantly changing and that charitable purposes may evolve in future as charities find new ways of meeting those needs and providing public benefit. It gives us flexibility to recognise purposes that resemble an existing charitable purpose but which are novel or different in some way.

This is not a freestanding purpose on its own, nor is it a catch all to allow charities to pursue any other purpose that they may feel is relevant. It is for us to decide if a particular purpose is analogous to one of the other 15 charitable purposes set out in the 2005 Act.

**Having charitable purposes will not on its own mean that the charity test is met; an organisation's activity must also provide public benefit.**

**Agree / Not agree that Blairmore Hall should become an Unincorporated association.**

**The charitable purpose of the Hall is F, G, I or P (Please circle the one relevant)**

**Name and address**

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