

SCHEDULE 1

Regulation 3(4)(c)

DECLARATION OF SOLVENCY OF SCIO

Name of SCIO

Principal Office of SCIO

We the charity trustees of the above named SCIO hereby affirm that as of this date the SCIO is solvent, being able to pay its debts as they become due and having a surplus of assets over liabilities.

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Date:

***Please note that this form must be signed by at least two thirds of the charity trustees of the SCIO or by one trustee only if authorised to sign on behalf of the other trustees.**

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

SCHEDULE 2

Regulation 3(4)(d)

NOTICE OF APPLICATION FOR DISSOLUTION OF SOLVENT SCIO

Name of SCIO

Principal Office of SCIO

Notice is hereby given by the above noted SCIO that it has applied to OSCR for consent to wind up its affairs, transfer any surplus assets after settlement of all outstanding debts and liabilities to another named body (or bodies) which has purposes which are the same as or which resemble closely the purposes of the SCIO as set out in its constitution, and be removed from the Register and dissolved.

SCHEDULE 3

Regulation 5(3)(c)

DECLARATION OF INSOLVENCY OF SCIO

(Form to be sent to OSCR)

Name of SCIO

Principal Office of SCIO

We the charity trustees of the above named SCIO hereby affirm that as of this date the SCIO is insolvent, having outstanding debts of at least £1500.

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Date:

***Please note that this form must be signed by at least two thirds of the charity trustees of the SCIO or by one trustee only if authorised to sign on behalf of the other trustees.**

Please now send the completed form and other accompanying documents to OSCR

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

SCHEDULE 4

Regulation 5(3)(d)

Form

Application of SCIO to Accountant in Bankruptcy
for Sequestration of Estate of SCIO
in terms of Regulation 4 of
the Scottish Charitable Incorporated Organisations
(Removal from Register and Dissolution) Regulations 2011

(Form to be sent to OSCR)

Please complete this form clearly in **BLACK INK** using **CAPITAL LETTERS**.

<u>WARNING</u> You may be committing a criminal offence if you deliberately do not disclose all relevant information or if you deliberately make a false statement when completing the form.	
1. Name of SCIO	
2. Principal Office of SCIO	
Town	
County	
Postcode	
3. Contact telephone number for SCIO (including STD code)	
SCIO's e-mail address	
4. Contact Person's Title: (Mr/ Mrs/ etc)	
Surname	
First and middle names	

5.	Home address: (house name, street etc)	
	Town	
	County	
	Postcode	
6.	Telephone (including STD code)	
	Mobile	
	e-mail address	
7.	Your relationship to the SCIO, e.g. Secretary, Chief Executive, Chair-person of Charity Trustees.	
8.	Previous addresses in last 3 years: (building name, street etc)	
	Town	
	County	
	Postcode	
9.	Other address where the SCIO has obtained credit. (building name, street etc)	
	Town	
	County	
	Postcode	
10.	Names and Addresses of Charity Trustees of SCIO	
	Name of Charity Trustee	
	Address of Charity Trustee	

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

Name of Charity Trustee	
Address of Charity Trustee	
Name of Charity Trustee	
Address of Charity Trustee	
Name of Charity Trustee	
Address of Charity Trustee	
Name of Charity Trustee	
Address of Charity Trustee	
Name of Charity Trustee	
Address of Charity Trustee	
Name of Charity Trustee	
Address of Charity Trustee	

Yes No

11. Has the SCIO ever had a business address or traded anywhere outside of Scotland? If "yes" please provide details.

Yes No

12. Has the SCIO been subject to any insolvency proceedings in any country outside of Scotland? If "yes" please provide details.

13. Please list outstanding debts of the SCIO which must total at least £1500.

Debtor Name Amount due Date debt was due

Debtor Address

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

Debtor Name Amount due Date debt was due

Debtor Address

Debtor Name Amount due Date debt was due

Debtor Address

Debtor Name Amount due Date debt was due

Debtor Address

Debtor Name Amount due Date debt was due

Debtor Address

Debtor Name Amount due Date debt was due

Debtor Address

..... Total debts *

***Please note outstanding debts must be due and payable**

Signature of Charity Trustees of SCIO*

We, the charity trustees of the SCIO, certify that the information supplied on this application including annexed Form 25 of Statement of Assets and Liabilities of the entity SCIO, as prescribed for a body corporate in terms of Regulation 14(1)(c) of the Bankruptcy (Scotland) Regulations 1985, is true, complete and accurate to the best of our knowledge and belief.

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Name of charity trustee:

Signature of charity trustee:

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

Name of charity trustee:

Signature of charity trustee:

Date:

***Please note that this form must be signed by at least two thirds of the charity trustees of the SCIO or by one trustee only if authorised to sign on behalf of the other trustees.**

Please now send the completed form and Annexe to OSCR

Annexe

Form 25

**STATEMENT OF ASSETS AND LIABILITIES
(Trusts, Partnerships etc.)**

Bankruptcy (Scotland) Act 1985: Section 5(6A)

WARNING

You may be committing a criminal offence if you deliberately do not disclose all relevant information or if you deliberately make a false statement when completing the forms in this pack.

Insert Name of Entity

Insert Address of Entity

Town

County

Postcode

Insert Contact Name

Insert Contact Address

Town

County

Postcode

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on this page will help you complete the questions on following page.

It may be useful to read it question by question as you go along.

Q1. Tick 'yes' if the entity is receiving any income.

If you answered 'yes', complete the table giving details of any income the entity receives, grants, lottery money, money from trusts etc.

Enter the address from where this income comes, the frequency of the payments such as weekly, monthly, fortnightly etc, and the amount the entity receives.

Q2. Tick 'yes' if you are a licensee (licence holder) under the licensing legislation, the Licensing (Scotland) Act 2005. This includes a Premises or Personal licence. Also tick 'yes' if you are involved in the licensed trade for example, if you own a pub but there is a tenant and the tenant has a licence.

Q3. Tick 'yes' if the entity owns a motor vehicle. 'Motor vehicle' includes: car; van; motorbike; moped and truck.

If you tick 'yes', state whether the motor vehicle is provided under a Hire Purchase agreement, lease, credit or other finance agreement.

Provide details of all motor vehicles the entity owns.

You must enclose a copy of the Hire Purchase, finance or credit agreement with your form.

Q3a. Provide details of what the motor vehicle is used for.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on previous page will help you complete this page.

1. Is the entity currently receiving any income? Yes No

If 'yes' enter details of any income received:

Type of other income	Name & address of income source	Frequency	Gross amount £

2. Do you currently hold a premises or personal licence under the Licensing (Scotland) Act 2005 or are you involved in the licensed trade?
Yes No

3. Does the entity own a motor vehicle? Yes No

If 'yes', is the motor vehicle provided under Hire Purchase (HP) or other finance or credit agreement?

Yes No

Provide details of every motor vehicle owned:

Make and model of vehicle	Actual Mileage	Registration number	Estimated value £	HP or Finance Company details

You **must** enclose a copy of any agreement with this form.

3a. If the entity owns a motor vehicle, provide details of what it is use for.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

It may be useful to read it question by question as you go along.

Q4a. Tick 'yes' if any of the entity's possessions, such as electrical goods, mobile phones, fruit machines, furniture etc., are subject to hire purchase or credit agreement.

You must enclose a copy of the hire purchase or credit agreement.

Q4b. Does the entity have any possessions, which are not subject to a hire purchase or credit agreement, such as satellite equipment, caravans, boats, video recording equipment, tools, fixtures and fittings, electrical goods, paintings, sports equipment, etc.?

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on previous page will help you complete this page.

4a. Are any of the entity's possessions, other than any motor vehicle detailed above, subject to a hire purchase or credit agreement?

Yes No

If 'yes' enter details of these possessions and the agreements below:

Hire Purchase or Finance company details	Possession Description	Date purchased	Term of agreement	Estimated value £

You must enclose a copy of the hire purchase or credit agreement.

4b. Does the entity have any possessions, which are not subject to a hire purchase or credit agreement?

Yes No

If 'yes' enter details of items below:

Possession Description	Date purchased	Estimated value £

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on this page will help you complete the questions on following page.

It may be useful to read it question by question as you go along.

Q5. Tick 'yes' if the entity has any bank or building society account(s), either in Scotland or any other country. This includes current accounts and savings accounts.

If you answered 'yes', complete the table giving details of all the entity's bank and/or building society accounts, including any accounts held in trust.

Enter the name of the bank and/or building society branch, the name of the account(s), the account number(s), sort code, and the balance of the account.

Continue on a separate sheet if necessary

Q6. Tick 'yes' if the entity has any post office, credit union or other type of accounts.

If you answered 'yes', complete the table giving details of all post office, credit union or other accounts which are in the entity's name, including accounts held in trust.

Enter the name and address of the post office, credit union or other establishment where the account was opened, the name of the account(s), the account number(s), sort code, and the balance of the account.

Continue on a separate sheet if necessary.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on previous page will help you complete this page.

5. Does the entity have any bank or building society account(s)?

Yes No

If 'yes' enter details of all bank and building society accounts.

Name and address of bank/building society	Name(s) of account (s)	Account number	Sort code	Balance £

Continue on a separate sheet if necessary

6. Does the entity have any post office, credit union or other type of account(s)?

Yes No

If 'yes' enter details of all post office, credit union or other accounts.

Name and address of post office/credit union etc	Name(s) of account(s)	Account number	Sort code	Balance £

Continue on a separate sheet if necessary

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on this page will help you complete the questions on following page.

It may be useful to read it question by question as you go along.

Q7. Tick 'yes' if the entity has any assurance policies, endowment policies or savings plans, for example an ISA.

If you answered 'yes', complete the table giving details of the assurance policies, endowment policies and savings plans. Also provide details of the sum assured and an estimate of the surrender value.

Q8. Tick 'yes' if the entity has any investments, such as stocks, shares, bonds, saving certificates or Premium Bonds.

If you answered 'yes', complete the table giving details of the investments. Also provide an estimate of their surrender value.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on previous page will help you complete this page.

7. Does the entity have any assurance policies or endowment policies or savings plans?
Yes No

If 'yes' enter details of all the policies and savings plans:

Type of policy/plan	Name & address of company	Reference number	Sum Assured £	Estimated surrender value £

8. Does the entity have any investments, such as stocks, shares, bonds, saving certificates or Premium Bonds?
Yes No

If 'yes' enter details of all the investments:

Type of investment	Name & address of company	Reference number	Estimated surrender value £

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on this page will help you complete the questions on following page.

It may be useful to read it question by question as you go along.

Q9a. Tick 'yes' if the entity rents the property it does business from.

If 'yes' complete the table with the details of the property the entity rents, including the name and address of the property owner or landlord, name on the tenancy agreement and date of tenancy agreement.

Q9b. Tick 'yes' if the entity owns the property it does business from.

Q9c. Tick 'yes' if the entity owns property jointly with another person/entity. If 'yes' provide the names and, if different, address(es) of the joint owner(s).

Q9d. Provide details of any mortgage or secured loan.

This will include the name and address of the mortgage or secured lender, the mortgage or loan reference number, the date the loan was obtained the amount borrowed and an estimate of what is currently outstanding to the secured lender.

Q9e. Tick 'yes' if the mortgage and/or secured loan is in joint names.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on previous page will help you complete this page.

9a. Does the entity rent the property where it does business from?

Yes No

If 'yes' complete details:

Name & address of property owner or landlord	Name on rental/tenancy agreement	Date of rental/ tenancy agreement

Enclose a copy of your rental or tenancy agreement or letter from your landlord.

9b. Does the entity own the property where it does business from?

Yes No

9c. If the entity owns property, is the property in joint names?

Yes No

If 'yes' provide the names, and if different, the address(es) of the joint owner(s).

9d. Provide details of any mortgage or secured loan.

Name and address of Mortgage Company/Lender	Mortgage account no./Lender reference no.	Date loan was obtained	Amount borrowed £	Estimated amount still owed £

9e. Is the mortgage and/or secured loan in joint names? Yes No

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on this page will help you complete the questions on the following pages.

It may be useful to read it question by question as you go along.

Q10a. Tick 'yes' if the entity owns any other properties. This includes any property within Scotland or elsewhere.

If 'yes' provide details and the address(es) of properties the entity owns, either wholly or jointly. Also detail the property type which includes land, timeshares, or any other property, including business or agricultural property.

Provide the name and address of any joint owners

Q10b. Provide details of any mortgage or secured loan against the other properties.

Q10c. Tick 'yes' if the mortgage and/or secured loan for the other properties is in joint names.

Provide the names and, if different, address(es) of the joint owner(s).

Continue on a separate sheet for all other properties the entity owns, providing details of addresses and any mortgages or secured loans.

Q11. Tick 'yes' if the entity has previously owned any property or land in any country outside Scotland in the last 5 years.

Property includes all or any part of a house, land, timeshare or any other property, including business or agricultural property. This includes property which is solely or jointly owned with another person or organisation.

Provide details, stating address, type of property and dates property owned from and to.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on the previous page will help you complete this page.

10a. Does the entity own, either wholly or jointly any other properties, within Scotland or elsewhere?

Yes No

If 'yes' provide details and the address(es) of properties.

10b. Provide details of any mortgage or secured loan against the properties:

Name and address of Mortgage Company/Lender	Mortgage Account no./Lender Reference no.	Date loan was obtained	Amount borrowed £	Estimated amount still owed £

10c. Is the mortgage and/or secured loan in joint names?

Yes No

If 'yes' provide the names, and if different, the address(es) of the joint owner(s).

Continue on a separate sheet for all other properties the entity owns, providing details of addresses and any mortgages or secured loans.

11. Has the entity previously owned any property or land in any country outside Scotland in the last 5 years?

Yes No

If 'yes' state:

address _____

type of property or land _____

dates property or land owned _____

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on this page will help you complete the questions on the following page.

It may be useful to read it question by question as you go along.

Q12. Provide details of **all** the entity's unsecured debts, for example, loans, credit card, catalogue accounts, unpaid council tax, overdrafts, rent arrears, utility bills and any debts due to individuals. **DO NOT** include any mortgage or secured debts in this table.

Please provide details of the type of debt, the name and address of the company or person the entity owes the money to, any account or reference number, the date the debt was obtained and the amount owed.

Please provide as much detail as possible with up-to-date amounts owed.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

The information on the previous page will help you complete this page.

12. Provide details of all the entity's unsecured debts:

Type of debt	Name & address of creditor	Account/reference number	Approximate date credit obtained	Amount owed £
			TOTAL	£

Once OSCR are satisfied the application meets the requirements of the Scottish Charitable Incorporated Organisations (Removal from Register and Dissolution) Regulations 2011, they will pass your completed application to the Accountant in Bankruptcy. At this stage you will be contacted by OSCR and advised to send the appropriate fee for determination of a debtor application as laid down in the Bankruptcy Fees (Scotland) Regulations 1993 to the Accountant in Bankruptcy.

Draft Legislation: This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: The Scottish Charitable Incorporated Organisations Regulations 2011 No. 44

SCHEDULE 5

Regulation 5(3)(e)

Notice of application for dissolution of insolvent SCIO

(To be sent to OSCR)

Name of SCIO

Principal Office of SCIO

Notice is hereby given by the above noted SCIO that, being insolvent, it has applied to OSCR for consent to its being sequestrated, removed from the Register and dissolved.

Please now send the completed form and other accompanying documents to OSCR