



THE GEORGE HERIOT'S TRUST SCHEME 2017

(Adopted 3 March 2017)

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The George Heriot's Trust Scheme 2017

(adopted by Resolution of the Governing Body passed on 3 March 2017 with the approval of the Office of the Scottish Charity Regulator dated 15 February 2017 pursuant to section 39 of the Charities and Trustee Investment (Scotland) Act 2005)

PART 1 - CITATION, BACKGROUND AND INTERPRETATION

1 Citation

- 1.1 This Scheme may be cited as The George Heriot's Trust Scheme 2017.
- 1.2 The George Heriot's Trust Scheme 1992 is hereby revoked.

2 Background

- 2.1 The Trust was first established by George Heriot (jeweller to His late Majesty King James VI) by disposition and assignation dated 3 September 1623 and last will and testament dated 10 December 1623 and codicil thereto dated 21 January 1624.
- 2.2 George Heriot in the deeds referred to at clause 2.1 above bequeathed the residue of his estate *"to the Proveist Baillies Ministeris and ordinarie Counsell of and for the tyme being of the said towne of Edinburgh for and towardis the funding and erecting of ane hospittill within the said towne of Edinburgh in perpetuitie and for and towardis the purchasing of certane landis in perpetuitie to belong unto the said hospittill to be imployit for the maintenance relief bringing up and educatioune of Puire fatherless bairnes friemens sones of that Towne of Edinburgh"*.
- 2.3 The Trust, which is registered with the Office of the Scottish Charity Regulator as a Scottish Charity with registered number SC011463, established and operates the School as an independent co-educational day school providing, through the Trust, full fee remission for Foundationers.
- 2.4 The purpose of the Scheme is to adapt and modernise the administration and governance of the Trust.

3 Interpretation

- 3.1 In this Scheme, unless the context otherwise requires:-

1992 Scheme means the George Heriot's Trust Scheme 1992.

Charitable Purpose means a charitable purpose in terms of section 7 of the Charities Act which is also regarded as a charitable purpose in relation to the application of the Taxes Acts.

Charities Act means the Charities and Trustee Investment (Scotland) Act 2005.

Charity means a body entered on the Scottish Charity Register or a charity as defined in the Charities Act 2006 and, in each case, which is also regarded as a charity in relation to the application of the Taxes Acts.

Date of this Scheme means 3 March 2017.

Electronic Communication means a document or information relating to the Trust or the Governing Body sent by email, made available on a website or sent or supplied by other electronic means.

Financial Year means the period beginning on the first day of August and terminating on the thirty-first day of July each year.

Foundationer has the meaning attributed to it in clause 5.1 (*Foundationers*).

Funds means the individual funds of the Trust of the type listed in clause 18 (*Funds, Awards and Prizes*) administered by the Governing Body

Fund Regulations means the regulations adopted by the Governing Body from time to time pursuant to clause 9.4 and 18 (*Funds, Awards and Prizes*) for the purposes of recording the Funds and the arrangements for their application and use.

Governing Body means the Governors of George Heriot's Trust.

Governor means a member of the Governing Body.

Ordinary Resolution means a resolution of the Governing Body either (a) passed by a simple majority of the Governors eligible to vote at a meeting convened *inter alia* for the purpose of considering the matter concerned; or (b) by Written Resolution in each case complying with the notice and other requirements set out in the Regulations.

Principal means the principal or head teacher from time to time of the School.

Property means the whole property (heritable and moveable, real and personal, wherever situated) and undertaking of the Trust

Scheme means this scheme, The George Heriot's Trust Scheme 2017, as amended from time to time.

School means George Heriot's School.

Special Resolution means a resolution of the Governing Body either (a) passed by 75% or more of the Governors eligible to vote at a meeting convened *inter alia* for the purpose of considering the Special Resolution concerned; or (b) by Written Resolution in each case complying with the notice and other requirements set out in the Regulations.

Regulations means the regulations of the Trust adopted by the Governing Body from time to time in accordance with clause 9 (*Regulations*).

Trust means the George Heriot's Trust.

Trust Activities means the activities of the Trust.

Trust Purposes has the meaning given to it in clause 4 (*Charitable Purposes*).

Trusts Acts means the Trusts (Scotland) Act 1921, the Trusts (Scotland) Act 1961 and the Trustee Investment (Scotland) Act 1961.

Written Resolution means a resolution in writing passed by all of the Governors in accordance with the Regulations.

3.2 The Interpretation Act 1978 shall apply to the interpretation of this Scheme as it applies to the interpretation of an Act of Parliament.

- 3.3 Reference in this Scheme to any statute or statutory provision includes a reference to that statute or statutory provision as from time to time amended, extended or re-enacted, provided that such amendment, extension or re-enactment does not in the case of a defined word or meaning alter the substance of the definition.
- 3.4 Reference in this Scheme to a Part or clause shall, except where the context otherwise requires, be construed as references to a Part or clause of this Scheme as the case may be.

PART 2 - CHARITABLE PURPOSES AND POWERS

4 Charitable Purposes

The Trust's Charitable Purposes are:-

- 4.1 the advancement of education, particularly the education and advancement of children and young people;
- 4.2 the advancement of the arts, heritage, culture and science;
- 4.3 the advancement of public participation in sport;
- 4.4 the provision of recreational facilities, or the organisation of recreational facilities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended; and
- 4.5 the advancement of citizenship and community development,

and these are the **Trust Purposes**.

5 Powers

In pursuance of the Trust Purposes, the Trust shall have the power to do any of the following:

5.1 Foundationers

- 5.1.1 to maintain and educate children (hereinafter referred to as **Foundationers**) who meet all of the following conditions, being children:-
- 5.1.1.1 whose mother and/or father has died; and
- 5.1.1.2 who meet the entrance requirements for Foundationers established from time to time by the Governing Body; and
- 5.1.1.3 in respect of whom financial assistance in respect of school fees is required as determined by such means testing as the Governing Body shall consider appropriate; and
- 5.1.1.4 who are either (i) existing pupils at the School; or (ii) have been resident in the EH, KY or FK postcode areas for not less than five years immediately preceding the date of application for admission to the School; or (iii) if neither of the foregoing apply, one of whose parents has a significant and long standing link with the City of Edinburgh as determined by the Governing Body on a case by case basis;

- 5.1.2 to provide to Foundationers free education, with the use of educational resources, at the School and such other sums as the Governing Body shall think fit to allow them to participate in the life of the School including (without limitation) in respect of the cost of uniform, equipment and school trips; and
- 5.1.3 to revise the list of Foundationers from time to time and (a) to remove the names of any Foundationers whose circumstances in the opinion of the Governing Body have improved since the date of their election; and (b) if the Governing Body thinks fit to add to the list any pupil already in attendance at the School whose circumstances by reason of the death of the father or mother become such as would ordinarily enable the pupil to qualify as an applicant to become a Foundationer;

5.2 The School and other Trust Activities

- 5.2.1 to run, supervise, manage, operate, maintain, furnish, equip, promote and develop schools, and educational activities and establishments of all kinds, including the School;
- 5.2.2 to promote, organise, stage and host classes, lectures, exhibitions, conferences, concerts, recitals, matches and games, and artistic, dramatic, musical, literary, cultural, sporting, athletic and other entertainments, functions and events of all kinds;
- 5.2.3 to promote enterprise and initiative among young people, both within the School and elsewhere;
- 5.2.4 to support and promote education generally in Scotland and elsewhere;
- 5.2.5 to provide access to the School's facilities and activities to the community;
- 5.2.6 to establish and maintain websites and other electronic information sites, publications and guides; to commission, conduct and publish research; and to write, compile, print, publish, buy and exploit literary, educational and scientific books and electronic and other publications;
- 5.2.7 to promote good practice in the education and care of bereaved children; and
- 5.2.8 to carry on any other activities which further, or can conveniently be carried on ancillary to, or in conjunction with, any of the other activities of the Trust;

5.3 Bursaries etc.

to expend, invest and otherwise use the Trust's funds and income for the purposes of the Trust Purposes (on such terms and conditions and prescribing such criteria and/or conditions therefor, as the Governors may from time to time determine) and without prejudice to that generality:-

- 5.3.1 to establish, manage and administer, trusts, funds, bursaries, foundations, endowments and similar, to provide financial and other assistance for the advancement of the Trust Purposes;
- 5.3.2 to grant and award, bursaries, foundations, scholarships and prizes for, and to make payments towards, the expenses of pupils and former pupils of the School in accordance with the Fund Regulations; and

- 5.3.3 to provide and encourage access to the School to children and young people whose families would not otherwise be able to afford the fees and other charges and expenses, through the disbursement of bursaries, foundations and other grants and financial contributions and assistance including but not limited to the support provided to Foundationers (as more specifically set out in clause 5.1 (*Foundationers*));

5.4 Raise Funds

to raise funds, and engage in activities for the purpose of raising funds, for the Trust Purposes, including without prejudice to the foregoing generality:-

- 5.4.1 to receive and accept grants, endowments, subscriptions, annuities, sponsorships, legacies, gifts and donations (and accept any reasonable conditions attaching to them); and
- 5.4.2 to set, establish, request, receive and accept fees, admission charges and other payments, in relation to the admission and education (including boarding) of pupils at the School, and for the provision of goods, services and facilities, including education and the advancement of the arts, culture, science, sport and recreational activities for pupils at the School and others, and to remit, in whole or in part, (and/or withdraw or vary the benefit conferred thereby) the fees of pupils attending the School on such terms and in such circumstances as the Governors may from time to time determine;

5.5 Property

to purchase, accept, or otherwise acquire; to take on lease, licence or otherwise use or occupy; to sell, exchange, donate, or otherwise dispose of, lease, let or license; and to maintain, repair, alter, adapt, rebuild, demolish and replace, any Property, and rights and obligations therein and thereto, which are suitable, necessary or convenient for, and consistent with, the Trust Purposes, and without prejudice to the foregoing generality:-

- 5.5.1 to provide land and buildings, and other property necessary or convenient for the purposes of the School and/or for the benefit of the general public;
- 5.5.2 to provide and maintain buildings of all kinds and descriptions and all other accommodation, premises and facilities (including facilities for recreational and cultural activity) necessary or convenient for the Trust Activities, including for the purposes of the School, the present pupils and for the benefit of the general public;
- 5.5.3 to furnish and equip the Property; and
- 5.5.4 to create, acquire, license, dispose of, protect (by registration or otherwise) and otherwise deal with intellectual property of all kinds and descriptions, and acquire, accumulate, store, manage and otherwise deal with data (including personal data);

5.6 Employees

to employ, engage, hire, remunerate and make provision for:

- 5.6.1 a Principal of the School and teachers for the education and training of pupils at the School or elsewhere, and to employ such other staff as

are considered appropriate for the proper conduct of the Trust Activities; and

5.6.2 persons, companies and other bodies to perform services or act on its behalf from time to time;

5.7 Borrowing and Security

to open and operate bank and other accounts; to borrow and raise money in such a manner as the Trust shall think fit; to grant guarantees, indemnities and undertakings for the performance by the Trust and/or any subsidiary or associated undertaking, company or entity thereof, of any obligation or liability it or they may undertake, or which may become binding on it or them; and to secure the repayment of any money borrowed, raised or owing by mortgage, charge, standard security, lien, pledge or other security upon the whole or any part of the Trust's Property (present and future);

5.8 Lending

to lend money upon simple receipt or on commercial or other terms, from any funds in its possession or under its control: to any employee, or any subsidiary or associated company (or entity) of the Trust and any trust, fund or charity associated with the Trust;

5.9 Investment

to exercise all the powers of investment and others conferred upon trustees and set out in the Trusts Acts and the Charities Act, and under the laws of Scotland, and subject always to prevailing statutory and other regulation to which it is subject from time to time, to deposit or invest any funds in its possession or under its control, which are not immediately required for the Trust Activities, in such investments as may be considered appropriate (and to dispose of, and vary, such investments) and to employ professional advisers and investment managers and arrange for the investments or other Property of the Trust to be held in the name of a nominee;

5.10 Pensions

to pay and make reasonable provision for the payment of pension and/or other benefits for employees and former employees and their dependants, including establishing, contributing to, and allocating pension plans, stakeholder pension schemes, superannuation plans, retirement annuities, company pension schemes and/or group personal pension schemes as may be required or desirable for such employees, former employees and their respective dependants;

5.11 Insurances

to purchase and maintain at the expense of the Trust, insurances:-

5.11.1 in respect of the Trust's Property and the Trust Activities, against the usual risks and such other risks as the Governors deem appropriate; and

5.11.2 subject to clause 22 (*Application of Income and Property*), for the benefit of the Governors and members of the Committees from time to time, and other officers and employees of the Trust and of any company owned or controlled by it, in respect of any loss or liability suffered or incurred in connection with the individual's duties or powers in relation to the Trust, any committee thereof, any subsidiary or associated company or entity, or any pension or similar fund of the Trust;

5.12 Costs and Expenses

to pay out of the funds of the Trust, the costs and expenses of the Trust and its Property and the Trust Activities, including those:

- 5.12.1 involved in maintaining the Trust as a charity and other professional or regulatory matters;
- 5.12.2 for licences, permits and similar;
- 5.12.3 of its Governors and Officers, vouched, and properly incurred in the course of their duties; and
- 5.12.4 of its professional and other advisers;

5.13 Collaboration

with a view to furthering the Trust Purposes, to liaise, establish, promote, collaborate and enter into agreements, contracts, arrangements or partnership with:-

- 5.13.1 voluntary sector bodies, schools, local authorities, UK or Scottish government departments and agencies, educational organisations and other bodies;
- 5.13.2 any other person, company, organisation, government or authority;
- 5.13.3 European and international bodies, institutions and organisations;
- 5.13.4 any company or other entity formed by the Trust for the purposes of conducting any activity forming part of or ancillary to the Trust Purposes and/or the Trust Activities; and
- 5.13.5 any other charity for co-operation or mutual assistance, shared services, or otherwise;

5.14 Support other Charities

to establish, and/or support any Charity, and to make donations from its funds, income or Property, for any charitable purpose falling within the Trust Purposes;

5.15 Reorganise and Transfer

- 5.15.1 to acquire and take over the whole or any part of the property, undertaking and liabilities of any body holding property or rights, consistent with the Trust Purposes;
- 5.15.2 to enter into a scheme of reorganisation and/or transfer all or any of its Property and the Trust Activities to one or more charities with purposes the same as or similar to the Trust Purposes;
- 5.15.3 to incorporate subsidiary and other companies and entities for the conduct of activities which may further one or more of the Trust Purposes, or may generate income to support the activities of the Trust, and become members of, or acquire and hold shares or take interests in such companies or entities, and carry out in relation to any such company which is a subsidiary of the Trust, all such actions and functions as may be associated with a holding company, including the liquidation, reconstruction or reorganisation of such companies or entities;

5.15.4 to cease, discontinue and/or wind up all or any of the Trust Activities, and in that connection transfer all or any of its Property, all in accordance with the provisions of this Scheme and the Charities Act;

5.16 Vary Constitution

subject to the provisions of the 2005 Act, to vary, amend or replace this Scheme, in whole or in part by Special Resolution; and

5.17 Ancillary Powers

to do and permit to be done anything which is required and/or provided for in this Scheme, or may be incidental or conducive to the furtherance of any of the Trust Purposes or the Trust Activities.

PART 3 - THE GOVERNING BODY

6 Reconstitution of Governing Body

6.1 For the purpose of carrying this Scheme into effect the Governing Body constituted under the 1992 Scheme under the name of "The George Heriot's Trust" shall be and is hereby reconstituted under the same name as a body corporate with perpetual succession and a common seal, and with all rights, powers and privileges of a body corporate.

6.2 The Governing Body reconstituted under this Scheme shall, if so requested, grant the governing body in office immediately prior to the date of this Scheme a discharge of their intromissions.

6.3 For the purposes of the Charities Act the Governors are the trustees of the Trust.

7 Composition of Governing Body

7.1 Number of Governors

The Governing Body shall consist of a minimum of six Governors who will be appointed in accordance with the Regulations.

7.2 Periods of Office

Subject to the provisions of the Regulations each Governor shall hold office for a period of three years. Any Governor, on the expiry of that Governor's term of office, shall be eligible to serve for a further term or terms in accordance with the Regulations.

7.3 Vacation of Office

A Governor shall be held to have vacated office in the circumstances specified in the Regulations.

7.4 Procedure on occurrence of Vacancies

In the event of a vacancy occurring among the Governors by reason of death, expiry of term of office or any other circumstance, the Governing Body shall fill such vacancy in accordance with the procedures for doing so contained in the Regulations.

7.5 Validity of Proceedings of Governing Body

No failure or delay or defect in the appointment of any Governor and no vacancy in the office of Governor shall prevent the Governing Body or any committee appointed by it from acting in the execution of this Scheme; nor shall any act or proceeding of the Governing Body or of any committee appointed by it be invalidated or be illegal by reason of any such failure, delay, defect or vacancy provided that the number of Governors in office at the time of the said act or proceeding is not less than six.

If the total number of Governors for the time being is less than six, the Governors must not take any decision other than a decision to appoint further Governors.

8 **Powers, duties and responsibilities of the Governing Body**

8.1 General power of supervision and control

The Governing Body shall exercise a general supervision and control over the School and everything connected with it and may exercise all the powers of the Trust set out in the Scheme and conferred by law and as contained in the Regulations.

8.2 Execution of Deeds

All deeds and other writings signed by one of the Governors and by the Treasurer and Secretary or other duly authorised officer of the Governing Body appointed for the purpose shall be held to be validly executed on behalf of the Governing Body. The Governing Body may from time to time require any document be sealed with the common seal of the Trust in addition to any such signatures.

8.3 Governors' liability for debts

The Governors shall have no liability to pay any sums towards the debts or other liabilities of the Trust during a winding up or otherwise.

8.4 Indemnity and insurance

8.4.1 A Governor is not personally liable for any costs, charges, damages, expenses, losses, penalties or taxes which the Governing Body or any Governor may incur in connection with the Trust arising from breach of trust under the Scheme unless the breach is caused by that Governor's:

8.4.1.1 failure to discharge that Governor's duty of care;

8.4.1.2 fraudulent or dishonest conduct; or

8.4.1.3 wilful neglect or default.

8.4.2 The Trust will indemnify a Governor for any costs, charges, damages, expenses, losses, penalties or taxes which the Governor may incur in connection with the Trust other than any such costs, charges, damages, expenses, losses, penalties or taxes of the type referred to in clauses 8.4.1.1 to 8.4.1.3.

8.4.3 The Governing Body may protect itself and any Governor from any costs, charges, damages, expenses, losses, penalties or taxes which the Governing Body or any Governor may incur in connection with the Trust for breach of trust by purchasing an insurance policy.

PART 4 - ADMINISTRATIVE ARRANGEMENTS

9 Regulations

Provided that any such regulations shall not be inconsistent with the provisions of this Scheme, the Governing Body shall by Special Resolution make (and vary, amend and replace) regulations to govern matters which the Scheme requires should be governed by regulations and generally to govern such other matters as it thinks fit for the exercise of its functions under this Scheme. Without limitation such Regulations shall contain rules governing:-

- 9.1 the appointment of the Governing Body and its officers and the filling of vacancies on the Governing Body;
- 9.2 conduct of meetings of the Governing Body and its committees;
- 9.3 the establishment and operation of committees of the Governing Body; and
- 9.4 the application and use of the Funds.

10 Chairman and Vice-Chairman

The Governing Body shall appoint a chairman and vice-chairman and other officers as are provided for in the Regulations from their own number in accordance with the Regulations.

11 Committees

The Governing Body shall have power by resolution and/or by or under the Regulations to appoint such committees as it thinks fit on such terms as are provided for in that resolution or the Regulations and to confer on such committees such powers as it thinks fit.

12 Treasurer and other administrative staff

The Governing Body may appoint a Treasurer (who shall also be the Secretary to the Trust) and such other officers as it considers necessary at such reasonable salaries and under such conditions of service and with such powers as they may determine.

13 Meetings of Governing Body

- 13.1 The Governing Body shall hold meetings at such places and times as the Governing Body may determine from time to time pursuant to the Regulations and otherwise.
- 13.2 The necessary notice and the arrangements for the convening, proceedings and conduct of meetings (including any arrangements for the provision of notice by Electronic Communications and the holding of meetings by video or telephone conference or other means by which those participating in the meeting can hear one another) shall be determined by the Regulations.

14 Quorum of Governing Body

The quorum for meetings of the Governing Body will be the quorum set out in the Regulations from time to time.

15 Voting

Save for matters which in terms of this Scheme or the Regulations fall to be decided by a Special Resolution and matters which are decided by a Written Resolution all questions shall be determined by a majority of those present. Each Governor present shall have one vote.

The Chairman of any meeting shall in any case where there is an equality of votes have a second or casting vote in addition to a deliberative vote.

16 Minutes

Minutes shall be kept of all meetings in accordance with the Regulations.

17 Written Resolution

The Governing Body may resolve and decide matters by Written Resolution in such form and manner as is provided for in the Regulations.

PART 6 - FINANCIAL ARRANGEMENTS

18 Funds, Awards and Prizes

The Governing Body shall from time to time adopt the Fund Regulations and shall record in the Fund Regulations:-

18.1 a list of its principal funds;

18.2 a list of prize funds;

18.3 a list of bursary funds; and

18.4 a list of separate funds administered by the Governing Body,

all of which Funds shall be applied in accordance for the purposes and subject to the terms and conditions set out in this Scheme and in the Fund Regulations. For the avoidance of any doubt no Fund shall be applied for any purpose other than that for it may lawfully be applied.

19 Vesting, Constitution and Continuance of Funds

From and after the date of this Scheme the Funds as at the date of this Scheme hereby transferred to and vested in the Governing Body without the necessity of any instrument or conveyance.

20 Accounting

20.1 Accounting records shall be kept in accordance with the Charities Act, the Charities Accounts (Scotland) Regulations 2006 and all other applicable statutory requirements and such accounting records shall, in particular, contain entries from day to day of all sums of money received and expended by the Trust and the matters in respect of which such receipts and expenditure took place and a record of the assets and liabilities of the Trust. Such accounting records shall be open to inspection at any time by any Governor.

20.2 A copy of the latest accounts of the Trust submitted to the Office of the Scottish Charity Regulator shall be made available to any person requesting the same.

21 Custody etc.

The Governing Body shall make such arrangements by Regulation or otherwise as it considers adequate for the safe custody of all deeds and other documents belonging to it, for the banking of money and for the signing of cheques/authorisation of payments.

PART 7 - MISCELLANEOUS

22 Application of Income and Property

- 22.1 The income and property of the Trust shall be applied solely towards promoting the Trust's Purposes.
- 22.2 No part of the income or property of the Trust shall be paid or transferred (directly or indirectly) to any member of the Governing Body, whether by way of dividend, bonus or otherwise.
- 22.3 No benefit (whether in money or in kind) shall be given by the Trust to any Governor except (i) repayment of out of pocket expenses; or (ii) reasonable payment in return for particular services actually rendered to the Trust (not being of the nature of duties of a Governor or management of the Trust). The prohibition of such payments shall not apply to any payment made in accordance with the Charities Act where:-
- 22.3.1 the maximum amount of the remuneration:-
- 22.3.1.1 is set out in a written agreement between the relevant Governor and the Trust under which the Governor is to provide the services in question; and
- 22.3.1.2 is reasonable in the circumstances;
- 22.3.2 before entering into the agreement, the Governing Body was satisfied that it would be in the interests of the Trust for those services to be provided by the relevant Governor for that maximum amount;
- 22.3.3 immediately after entering into the agreement, less than half of the total number of Governors or persons connected with them were entitled to receive remuneration under a written agreement of the type set out in clause 22.3.1.1 above; and
- 22.3.4 the payment of that remuneration is not prohibited by this Scheme or the Regulations.

23 **Dissolution**

- 23.1 Subject to compliance with the Charities Act the Governing Body may by Special Resolution resolve that the Governing Body be wound up.
- 23.2 If upon the winding up or dissolution of the Trust there remains after satisfaction of all its debts and liabilities, any property whatsoever the same shall not be paid or distributed among the Governing Body but shall be given or transferred to some other Charity or Charities having objects similar to the Charitable Purposes of the Trust and which shall prohibit the distribution of its or their income and property amongst its members to an extent at least as great as is imposed on the Trust under or by virtue of this Scheme, such Charity or Charities to be determined by the Governing Body at or before the time of dissolution and in so far as effect cannot be given to the foregoing provision then to the University of St Andrews (provided the same is then a Charity) for the purposes of providing financial support to students who would not otherwise be able to afford the fees, charges and expenses of attendance at that University or, in so far as effect cannot be given to the foregoing provision, then to some other Charitable Purpose approved by the Office of the Scottish Charity Regulator.

24 **Copies of Scheme**

The Governing Body shall maintain a supply of printed copies of this Scheme and shall cause a copy to be kept available for inspection by every member and officer of the Governing Body and copies shall be available to the public in accordance with the Charities Act.