



The Harbour
Fortrose
Ross-shire
IV10 8TP

UPDATE FOR AGM 2019 ON TRANSITION TO A SCIO

Following the Special General Meeting (SGM) of 27 May, an application to become a Scottish Charitable Incorporated Organisation (SCIO) was submitted to the Office of the Scottish Charity Regulator (OSCR) on 12 July. The Initial Charity Trustees were the club's 6 officers at the time (James Dargie, David Finlayson, Helen Jenner, Richard Evans, Janet Witheridge & Richard Jenner). OSCR responded on 17 September accepting our application and draft Constitution and awarded us the SCIO status with charity number SC049615 effective 16 September 2019. This means we have entered the transition phase and have initiated the legal transfer of assets (deeds, leases, accounts, property etc) from the current association (club) to the SCIO. This will take some months and means that the 2 organisations will run in parallel until this phase is completed and we can wind-up the current association (club) as agreed by the SGM.

Transition is being managed by a SCIO Working Group (WG) consisting of the 6 Initial Charity Trustees and Sandra Hogg who has extensive experience in these matters. A Transition Plan has been drawn-up with 21 action areas. The most significant of these are establishing a new bank account, transferring the clubhouse deeds to the SCIO (conveyancing), assigning the harbour & grounds lease to the SCIO, drawing-up an assets' register for transfer and managing the change for membership.

We have made significant progress. A new bank account has been opened with the Bank of Scotland which meets the requirement of dual signatories for cheques and on-line banking. You may recall from the original briefing note sent to all members we anticipated legal fees for the transfer of heritable property. We approached 2 solicitors for estimates to cover the clubhouse deeds and the harbour lease and have appointed Joe Duncan of Anderson, Shaw & Gilbert to act for the SCIO. Under changes to how property is registered in Scotland, both the conveyancing and assignation will trigger 'first registrations' which involves extra fees and the likely costs for the legal work will be between £2500 & £3000 although Joe will do his best to keep costs down. The assets' register is well developed.

Regarding membership, we are not allowed by OSCR to transfer the existing membership to the SCIO automatically. This means that everyone that wants to be a member must join the SCIO. For the transition period everyone must also be a member of the association (club) until it winds up to maintain a constitutional validity. You will find a brief statement in the 2020 membership form asking you to agree to membership of both the association (for so long as it exists) and SCIO on payment of your annual fees. Honorary & Life Members will be contacted individually by the Membership Sec and will be invited to join the SCIO.

We should complete the transition process by summer 2020 and will then wind-up the current association as agreed at the SGM. To ensure that members are correctly represented, it's the intention to invite the committee members who are not currently Charity Trustees to be co-opted as Charity Trustees so that the committee and board have the same composition. Formal elections to the SCIO board will then follow at the first AGM of the SCIO in late 2020.

Richard Jenner
Chair SCIO WG