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Watson M (Myra)

From: Danny McPhail-Smith
Sent: 12 August 2004 13:43
To: Watson M (Myra)
Subject: Charities and Trustee Investment (Scotland) Bill

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May I make some minor comments:

1. Definition

Happy to see "public benefit" NOT defined as good to leave discretion to OSCR and Courts. Scared that e.g. private educational establishment for example hounded by other vested interests with political axes to grind. The public interest would benefit later and in raising of standards in due time. The public is made up of diverse groups and it is very difficult to make clear definitions for all such groups. Charitable intent and aims are also important not all the public may not all agree even down to say Christian elements

2. Governance

Prefer term Trustee and would also be against the principle of allowing staff to be on board - need in my view to keep a distance and clear water with accountability of trustees and board against performance and action of staff. Would be tricky to obtain funding etc from public when not a body run by volunteers who appoint staff to do the job and must be judged on usual indicators. Would also keep independence and avoid compromising position. Present system is fine in my view

I work for a Charity at present

Thanks

Danny McPhail - Smith

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