

# Trustee's declaration:

## I declare that:

- I am aged 18 years or over.
- I am not an undischarged bankrupt.
- I am not the subject of a disqualification order made by a Court under the Company Directors Disqualification Act 1986.

A disqualification order **must** be made against a director if he/she is or has been a director of a company which has at any time become insolvent and his/her conduct as a director of that company (taken alone or together with his/her conduct as a director of any other company or companies) makes him/her unfit to be concerned in the management of a company.

A disqualification order **may** be made against a director for:

- conviction of an offence in connection with the promotion, formation, management, liquidation or striking off of a company or with the receivership or management of a company's property;
  - persistent breaches of companies legislation (e.g. failure to file accounts and annual returns);
  - fraudulent trading or of any other fraud in relation to the company;
  - conviction for contravention of or failure to comply with any provision in companies legislation requiring the filing of documents with the registrar of companies; or
  - participation in wrongful trading.
- I have not previously been removed from trusteeship of a charity by a Court or the Charity Commission and am not disqualified by Section 72 of the Charities Act 1993 from acting as a charity trustee.

Section 72 of the Charities Act 1993 provide a person will be disqualified as a charity trustee for:

- conviction of any offence involving dishonesty or deception (unless the conviction is spent);
- being adjudged bankrupt or having his/her property made available to creditors and (in either case) he/she has not been discharged;
- making a formal arrangement with his/her creditors which has not been discharged;
- removal from the office of charity trustee by an order of the Charity Commissioners or of the High Court;
- removal under Section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 from being concerned in the management or control of any body; or
- being subject to a disqualification order under the Company Directors Disqualification Act 1986 or to an order made under Section 429 (2) (b) of the Insolvency Act 1986.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_