

GV04a Declaration of Eligibility

Reference: HGV06

Effective date: Apr 25

Page no: 1 of 2

Approved: May 25

Last revision: 1 Apr 25

Next revision due: Apr 27



Declaration of eligibility for trustees

Charities must satisfy themselves that individuals who hold (or who are applying for) a trustee position will not be disqualified from holding that position. Individuals will be automatically disqualified from acting as a trustee of a charity if one or more of the reasons listed below apply and they have not obtained a waiver of that disqualification from the Charity Commission.

Please read the information below and complete the declaration in the [trustee application form](#). If one or more of the disqualification reasons does apply you must apply for a waiver from the Charity Commission to allow you to begin, or continue, to act as a trustee. In this situation, please discuss your situation with the Chair of Trustees or General Manager.

As part of the process to confirm eligibility all trustees will be asked to complete a record check through the Disclosure and Barring Service (DBS check).

Reasons for disqualification

1. Having an unspent conviction for any of the following
 - a) an offence involving deception or dishonesty
 - b) a terrorism offence
 - a. to which Part 4 of the Counter-Terrorism Act 2008 applies
 - b. under sections 13 or 19 of the Terrorism Act 2000
 - c) a money laundering offence within the meaning of section 415 of the Proceeds of Crime Act 2002
 - d) a bribery offence under sections 1, 2, 6 or 7 of the Bribery Act 2010
 - e) an offence of contravening a Commission Order or Direction under section 77 of the Charities Act 2011
 - f) an offence of misconduct in public office, perjury or perverting the course of justice
 - g) In relation to the above offences, an offence of: attempt, conspiracy, or incitement to commit the offence; aiding, or abetting, counselling or procuring the commission of the offence; or, under Part 2 of the Serious Crime Act 2007(encouraging or assisting) in relation to the offence
2. Being listed on the sex offenders register (ie. subject to notification requirements of Part 2 of the Sexual Offences Act 2003)
3. Having an unspent sanction for contempt of court for making, or causing to be made, a false statement or for making, or causing to be made, a false statement in a document verified by a statement of truth
4. Having been found guilty of disobedience to an order or direction of the Commission under section 336(1) of the Charities Act 2011.
5. Being a designated person for the purposes of Part 1 of the Terrorist Asset-Freezing etc. Act 2010, or the Al Qaida (Asset Freezing) Regulations 2011.
6. Having previously been removed from the office of charity trustee, officer, agent or employee of a charity by an order of the Commission under s79 of the Charities Act 2011, or earlier legislation, or by a High Court order due to misconduct or mismanagement in the administration of the charity.

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7. Having previously been removed under s34(5)9e) of the Charities and Trustee Investment (Scotland) Act 2005, or earlier relevant legislation, from being concerned in the management or control of any body.
8. Being disqualified from being a company director, or have given a disqualification undertaking, and leave has not been granted (as described in section 180 of the Charities Act) to act as director of the charity
9. Where a person is an undischarged bankrupt subject to any of the following and leave has not been granted (as described in section 180 of the Charities Act):
 - a. an undischarged sequestration Order
 - b. a bankruptcy restrictions Order
 - c. an interim Order
 - d. a moratorium period under a debt relief Order under Part 7A of the Insolvency Act 1986 or a debt relief restrictions Order or an interim Order under Schedule 4ZB to the Insolvency Act 1986
10. Where a person has made a composition or arrangement with, or granted a trust deed for, their creditors and has not been discharged in respect of it, and leave has not been granted (as described in section 180 of the Charities Act).

Declaration

I declare that

- I am aged 18 years or over at the date of this election or appointment;
- I am capable of managing and administering my own affairs;
- I am not subject to a disqualification Order under the Criminal Justice and Court Services Act 2000.
- I am not disqualified under the Protection of Vulnerable Adults List.
- I am not automatically disqualified on the grounds listed above.

Charity Details

Hartcliffe City Farm CIO.

Charity registration number: 1212299.