

This document relates to the Hutchesons' Hospital Transfer and Dissolution (Scotland) Bill (SP Bill 36) as introduced in the Scottish Parliament on 25 June 2018

Hutchesons' Hospital Transfer and Dissolution (Scotland) Bill

Promoter's Statement

Introduction

1. As required under Rule 9A.2.3(d) of the Scottish Parliament's Standing Orders, this Promoter's Statement has been prepared by Brodies LLP on behalf of the promoter, the Patrons of The Royal Incorporation of Hutchesons' Hospital in the City of Glasgow. It is published by the Parliament to accompany the Hutchesons' Hospital Transfer and Dissolution (Scotland) Bill introduced in the Parliament on 25 June 2018.

2. The following other accompanying documents are published separately by the Parliament:

- statements on legislative competence by the Presiding Officer and the promoter (SP Bill 36–LC);
- Explanatory Notes (SP Bill 36–EN);
- a Promoter's Memorandum (SP Bill 36–PM).

3. See below for information about where these documents and other documents that are relevant to the Bill (but are not accompanying documents) can be inspected or purchased.

Notification to persons with interest in heritable property

4. To the best of the current Patrons' knowledge, the Royal Incorporation of Hutchesons' Hospital in the City of Glasgow ("the Incorporation") does not own any heritable property, notwithstanding its

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original focus on the provision of hospital accommodation. The Bill therefore does not contain any provisions affecting heritable property. Accordingly Rule 9A.2.3(d)(i) of the Parliament's Standing Orders does not apply.

Notification to and consent from members etc.

5. This part of the Statement is provided under Rule 9A.2.3(d)(ii) of the Parliament's Standing Orders. That Rule applies to the Bill because the Incorporation is a body corporate.

6. The Incorporation dates back to the seventeenth century, but in its current form was incorporated by the Hutchesons' Hospital Act 1872 (the "1872 Act") and is a registered Scottish Charity with the charity number SC001470. The 1872 Act provides that the governing body of the Incorporation is comprised of a number of trustees (known as Patrons), some *ex officio* and some elected by other bodies or by the Patrons themselves.

7. For the year ended 31 December 2017 the governing body of the Incorporation comprised 95 Patrons.

8. The Patrons have been notified and have consented to the introduction of the Bill.

9. Consent for the promotion of the Bill was obtained by a resolution considered at a meeting of the Patrons duly convened and held on 4 August 2017. Notice of that meeting was sent to all 95 Patrons, some by post but the majority by email, on 13 July 2017. The notice included an agenda that noted the intention to provide the Patrons at the 4 August 2017 meeting with a "report on work which has taken place in past 2 years or so towards modernising the Constitution and reducing the numbers of Trustees to manageable levels". The agenda also noted that the following Resolution would be proposed:

"It is resolved to mandate the Executive Committee to continue and carry through to a conclusion the process of constitutional change, taking all steps which are appropriate following legal advice, including the establishment of a Scottish Charitable Incorporated Organisation (a "SCIO") as a successor to the present charity and the promotion of a Private Act of the Scottish Parliament. The Executive Committee is

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authorised to incur such costs and expenses as may be necessary to achieve this objective.”

10. The Resolution was passed unanimously at the meeting on 4 August 2017, at which eight Patrons were in attendance.

Notification to and consent from body affected

11. The Bill does not contain any provisions conferring powers upon or modifying the constitution of any body corporate or unincorporated association named in the Bill but not being the promoter. Accordingly Rule 9A.2.3(d)(iii) of the Parliament's Standing Orders does not apply.

Advertisement of intention to introduce the Bill

12. Notice of the intention to introduce the Bill was published in The Herald and The Edinburgh Gazette on 25 May 2018.

13. A notice containing the information in the newspaper notice was sent by recorded delivery post on 29 May 2018, with a request that the notice be displayed, to the libraries detailed below. These are libraries in the Greater Glasgow area near to where a number of beneficiaries of discretionary grants from the Incorporation reside, including the library (Pollokshields Library) located nearest to the present Hutchesons' Grammar School:

- Hillhead Library, 348 Byres Road, Glasgow G12 8AP
- The Mitchell Library, North Street, Glasgow, G3 7DN
- Pollokshields Library, 30 Leslie Street, Glasgow G41 2TE.

Inspection and purchase of documents

14. Under Rule 9A.2.3(d)(v), the promoter is obliged to make available for inspection or purchase any documents relevant to the Bill, but which are not accompanying documents. The documents in this category are the Constitution, Rules and History of the Royal Incorporation of Hutchesons' Hospital in the City of Glasgow (a document produced in 1850 and recording among other things the terms of the various Deeds of Mortification and other constitutional documents, accessible here: <https://archive.org/details/b28743970>); the 1821 Royal Charter; the 1872 Act; the notice sent to the Patrons of the meeting of 4 August 2017 (including the agenda of the meeting); and the constitution of the new

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Royal Incorporation of Hutchesons' Hospital in the City of Glasgow SCIO. Electronic copies of these documents may be obtained free of charge by emailing adam.mccabe@brodies.com. Copies of these documents may be inspected (free of charge) or purchased (for £2.00 each) at Brodies LLP Solicitors, 110 Queen Street, Glasgow, G1 3BX.

15. Copies of the Bill and accompanying documents, and the documents relevant to the Bill but which are not accompanying documents, may be inspected (free of charge) at Brodies LLP at the address above or at the libraries detailed below:

- Baillieston Library, 141 Main Street, Glasgow G69 6AA
- Ibrox Library, 1 Midlock Street, Glasgow G51 1SL
- The Mitchell Library, North Street, Glasgow, G3 7DN
- Hillhead Library, 348 Byres Road, Glasgow G12 8AP
- Pollokshields Library, 30 Leslie Street, Glasgow G41 2TE
- Shettleston Library, 154 Wellshot Road, Glasgow G32 7AX

16. The Bill and accompanying documents, as well as the 1872 Act, are also available on the Scottish Parliament's website (www.parliament.scot, go to 'Parliamentary Business', then 'Bills', then click on 'Current Bills').

17. On 25 June 2018, the following statement was made:

"We, Brodies LLP, on behalf of the Patrons of The Royal Incorporation of Hutchesons' Hospital in the City of Glasgow, hereby undertake to send copies of any documents that are relevant to the Hutchesons' Hospital Transfer and Dissolution (Scotland) Bill but are not accompanying documents to the premises to which the Bill and accompanying documents are to be sent by the Clerk under Rule 9A.4.2."

Undertaking to pay costs

18. On 25 June 2018, the following statement was made:

"We, Brodies LLP, on behalf of the Patrons of The Royal Incorporation of Hutchesons' Hospital in the City of Glasgow, hereby undertake to pay any costs that may be incurred by the Scottish Parliamentary Corporate Body during the passage of the Hutchesons'

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Hospital Transfer and Dissolution (Scotland) Bill in respect of the matters determined by that Body under Rule 9A.2.3(d)(vi) of the Parliament's Standing Orders.”

Assignment of copyright

19. On 25 June 2018, the following statement was made:

“We, Brodies LLP, on behalf of the Patrons of The Royal Incorporation of Hutchesons' Hospital in the City of Glasgow, hereby assign to the Scottish Parliamentary Corporate Body copyright in the promoter's statement on legislative competence, the Explanatory Notes, the Promoter's Memorandum and the Promoter's Statement accompanying the Hutchesons' Hospital Transfer and Dissolution (Scotland) Bill.”

Licensing agreement

20. On 25 June 2018, the following statement was made:

“We, Brodies LLP, on behalf of the Patrons of The Royal Incorporation of Hutchesons' Hospital in the City of Glasgow, hereby license the Scottish Parliamentary Corporate Body to use or reproduce as may be required for the Parliament's purposes any document which is relevant to the Hutchesons' Hospital Transfer and Dissolution (Scotland) Bill but is not an accompanying document and which is submitted by the promoter to the Clerk on introduction or subsequently.”

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www.parliament.scot

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