

## **Consultation on Proposed Alteration to the Terms of Charitable Trusts for our prizes**

We are seeking your opinion on widening the terms of some of our prize funds by making them available to a wider range of authors.

### **Background**

The Society of Authors is the trustee of three charitable funds which support young authors by providing awards:

**The Somerset Maugham Fund** (created 1946) provides awards for a published work of fiction, non-fiction or poetry;

**The Eric Gregory Trust Fund** (created 1959) provides awards for poetry;

**The Betty Trask Foundation** (created 1984) provides awards for first novels written in a traditional or romantic, but not experimental, style.

In each case the candidate has to satisfy a nationality qualification. For the Somerset Maugham and Eric Gregory Funds the qualification is to be a British subject by birth and for the Betty Trask Foundation the qualification is to be a Commonwealth citizen.

SoA's Management Committee has felt for many years that the qualification of nationality is inappropriate. This country now has a much more diverse society than in the years 1946-1984 when these funds were set up. There are many writers who live in Great Britain and Northern Ireland who do not hold British nationality. Some promising writers well-qualified to receive awards who were considered to be British writers did not qualify as British subjects or Commonwealth citizens respectively. The effect of the limitations has been to exclude some very distinguished writers at early stages in their careers when help from these funds would have been invaluable. For example Kazuo Ishiguro, Timothy Mo, Alain de Botton and V S Naipaul would not have qualified.

In 1986-98 the Society corresponded about this with the Charity Commission, which refused permission to change the terms of reference. The passing of the Equality Act 2010 has changed the background. It would now probably not be possible to register charities of this kind with nationality as the defining characteristic.

It is possible to change some terms of funds if we keep to the reasonable objectives. The Management Committee believes that a reasonable objective of these three funds is the encouragement of literature written in English by people who could generally be referred to as British writers (or Commonwealth writers in the case of the Betty Trask Foundation). The Society has applied to the Charity Commission for what is known as a "Cy-Pres" Scheme to be made (under Section 67 of the Charities Act 2011) to change the terms. The Charity Commission has indicated its willingness in principle to make a Scheme but requires the Society first to carry out appropriate consultation.

### **Proposed alteration**

The proposal is to amend the terms of the trusts of these three funds broadly as follows, and we are seeking your opinion on the proposed changes:

| <b>Name of Trust</b>        | <b>Founding Date</b>                         | <b>Existing Terms</b>  | <b>Proposed Terms</b>   |
|-----------------------------|--|--|---|
| The Somerset Maugham Fund   | Trust deed dated 30 <sup>th</sup> March 1946 | Candidate for an award must be a British subject by birth, ordinarily resident in the United Kingdom or Northern Ireland, and not a national of Eire or any of the British Dominions or Colonies | Candidate for an award must be resident in Great Britain and Northern Ireland for three years prior to the date of submission for the award, and writing in English                     |
| The Eric Gregory Trust Fund | Will made 22 <sup>nd</sup> June 1956         | Candidate for an award must be a British subject by birth, ordinarily resident in the United Kingdom or Northern Ireland. and not a national of Eire or any of the British Dominions or Colonies | Candidate for an award must be resident in Great Britain and Northern Ireland for three years prior to the date of submission for the award, and writing in English                     |
| The Betty Trask Foundation  | Trust Deed 23 <sup>rd</sup> February 1984    | Candidate authors shall "be Commonwealth citizens..."  | Candidate for an award must be resident in Great Britain and Northern Ireland or the Commonwealth for three years prior to the date of submission for the award, and writing in English |

## Your views

We invite you to comment on the proposed terms for these three funds by writing to or emailing Nicola Solomon - Chief Executive, The Society of Authors, 84 Drayton Gardens, London SW10 9SB – [nsolomon@societyofauthors.org](mailto:nsolomon@societyofauthors.org).

It would be helpful to know your opinions on the questions below but your comments need not be limited to those questions:

1. Do you agree that nationality is an appropriate factor for an applicant to qualify for an award?
2. Do you agree that three years residence in Great Britain and Northern Ireland is an appropriate factor for an applicant to qualify?
3. Do you agree that the awards should be restricted to applicants writing in English?
4. Do you have any other comments on the proposed application for a Charity Commission Scheme to vary the existing trusts?

The consultation will run until the end of November.

Further details of all three funds can be found on the Society's website at <http://www.societyofauthors.org/grants-and-prizes>