



**An Rialálaí Carthanas
Charities Regulator**

Charities Regulator welcomes new powers to protect Charities

(05/09/2016)

The Charities Regulator welcomed the commencement today of Part 4 of the Charities Act 2009. Part 4 gives investigative and protective powers to the Charities Regulator. This includes the capability to impose sanctions if a charity breaches certain obligations such as the requirement to keep proper accounts or to submit its annual report.

The Charities Regulator may also now apply to the High Court to suspend or remove charity trustees or staff members and prohibit the removal or sale of charity property if it satisfies the High Court that:

- charity property is being misused;
- a charity trustee or staff member has engaged in misconduct or mismanagement of a charity's affairs; or
- the provisions of the Act are not being adhered to.

CEO of the Charities Regulator, John Farrelly welcomed the new powers, stating:

"The introduction of Part 4 of the Act is a very positive and welcome step for charity regulation in Ireland. The powers it confers will allow the Regulator to take steps to ensure that charitable organisations are protected and well managed. Where breaches of the Act are suspected the Regulator can now work proactively to prevent and counter mismanagement and protect charitable organisations. These powers will be applied in a proportionate and fair manner, recognising that the majority of charities require support rather than enforcement."

The Charities Regulator is committed to providing effective and robust regulation to ensure a vibrant and healthy charitable sector in Ireland.

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Editors Note:

The Charities Regulator is an independent authority. It was established in 2014 under the Charities Act of 2009 with the following statutory functions:

- Increase public trust and confidence in the management and administration of charitable trusts and charitable organisations,
- Promote compliance by charity trustees with their duties in the control and management of charitable trusts and charitable organisations,
- Promote the effective use of the property of charitable trusts or charitable organisations,
- Ensure the accountability of charitable organisations to donors and beneficiaries of charitable gifts, and the public,
- Promote understanding of the requirement that charitable purposes confer a public benefit,
- Establish and maintain a register of charitable organisations,
- Ensure and monitor compliance by charitable organisations with this Act,
- Carry out investigations in accordance with this Act,
- Encourage and facilitate the better administration and management of charitable organisations by the provision of information or advice, including in particular by way of issuing (or, as it considers appropriate, approving) guidelines, codes of conduct, and model constitutional documents,
- Carry on such activities or publish such information (including statistical information) concerning charitable organisations and charitable trusts as it considers appropriate,
- Provide information (including statistical information) or advice, or make proposals, to the Minister on matters relating to the functions of the Regulator.