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MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE CHARITY COMMISSION  
AND  
THE OFFICE OF THE SCOTTISH CHARITY REGULATOR

## **1. Introduction**

1.1. Charities have always been an important part of the British social fabric. In order that they may continue to flourish and enjoy public support and confidence, it is essential that there should be modern and effective charity regulation across England, Scotland and Wales. As regulatory partners, the Charity Commission ("the Commission") and the Office of the Scottish Charity Regulator ("OSCR") are fully committed to the aims of this Memorandum, which are to:

- re-affirm and build on the co-operation that already exists between the Commission and OSCR;
- ensure appropriate consultation and co-ordination in the interpretation and application of the relevant law and policy;
- minimise the burden of regulation for those charities operating across the jurisdictions;
- set out the circumstances in which the Commission and OSCR will share information and collaborate operationally where a common regulatory approach is required; and
- pave the way for future co-operation between OSCR's statutory successor (see below) and the Commission, within the framework of new legislation.

## **2. Current statutory framework**

2.1. The Commission is established under the Charities Act 1993 ("the 1993 Act") and is the main regulator of charities in England and Wales. Under section 1 (3) of the 1993 Act, the Commission has "...the general function of promoting the effective use of charitable resources by encouraging the development of better methods of charity administration, by giving trustees information or advice on any matter affecting the charity and by investigating and checking abuses."

2.2. Under section 3 of the 1993 Act, the Commission maintains a register of charities. The Commission's jurisdiction extends to all registered charities and all unregistered charities (other than limitations on the use of its powers in relation to exempt charities). The term "charities" includes charitable collections and funds managed on an informal basis by any person or organisation.

2.3. OSCR is an Agency of the Scottish Executive under the terms of the Scotland Act 1998, and is part of the Scottish Executive Development Department. The objectives of OSCR are to establish, oversee and maintain an effective regulatory framework for Scottish charities and to investigate and take



action where individual charities are a cause for concern. In this context, the term "charities" includes non-recognised bodies which appear to OSCR to represent themselves as charities.

- 2.4. The statutory basis for the regulation of charities in Scotland is currently provided by Part 1 of the Law Reform (Miscellaneous Provisions)(Scotland) Act 1990 ("the 1990 Act") and supporting regulations. Under new legislation currently before the Scottish Parliament, OSCR will make a transition from an Executive Agency to a statutory body with an enhanced range of powers. OSCR's statutory successor is expected to come into being in April 2006.

### **3. Legal authority for disclosure of information**

- 3.1. Section 10 of the 1993 Act permits the disclosure of information between the Commission and any person or organisation discharging functions of a public nature where the disclosure is made for any purpose connected with the discharge of that person's or organisation's functions. Section 100(3) of the 1993 Act provides that section 10 extends to the whole of the United Kingdom.
- 3.2. Both the Commission and OSCR will encourage the disclosure and exchange of information between them where appropriate, in order to maximise the efficiency of their respective functions. They will ensure that information is disclosed in a manner that is efficient, proportionate and fully in compliance with the Human Rights Act 1998 and the Data Protection Act 1998.

### **4. Development of Policy and Legal Framework**

- 4.1. Both the Commission and OSCR regard each other as key stakeholders in the development of the law and legal policy in their respective jurisdictions. They will work together to ensure that relevant law is interpreted and applied in a way that achieves, so far as possible:
- consistency of decision making, especially in areas where there is a UK-wide application; and
  - a seamless regulatory regime that promotes effective regulation without imposing an unnecessary administrative burden on charities operating in both jurisdictions.
- 4.2. In order to achieve this, representatives of OCSR and the Commission will meet at least twice a year. The purpose of these meetings will be to discuss:
- progress of any new legislation affecting the Commission or OSCR, its practical application and the emergence of any precedent decisions by the Commissioners, OSCR or through the Courts;
  - the development of relevant law and policy, including public benefit, the independence of charities and other aspects of the "charity test";

- ensuring that the delivery of regulators' functions and duties addresses issues of equality and related best practice; and
- the elimination, where possible, of legal and operational inconsistencies.

Additional meetings may be convened as necessary, between appropriate key staff, to address these and other issues arising. When appropriate, OSCR and the Commission may invite HM Revenue and Customs to participate in meetings and consultations.

## **5. General Approach to Operational Liaison**

5.1. Wherever possible, OSCR and the Commission will seek to establish common technical standards and consistency at an operational level. Areas that may be particularly suitable for this approach include:

- charity registration and change of name processes;
- the development of monitoring, especially of charities working across both jurisdictions;
- the format and content of charities' annual reports and accounts; and
- technical issues relating to accounts compliance and SORP interpretation.

5.2. The Commission and OSCR will inform each other of emerging trends, and will agree strategies for the dissemination of advice and best practice amongst charities that operate in both jurisdictions. Where appropriate, this may include the issue of joint statements through the news media.

5.3. When they consider it necessary, both OSCR and the Commission will consult relevant umbrella bodies on matters of consistency, particularly in relation to charities operating across the jurisdictions.

## **6. Liaison at Individual Casework Level**

6.1. If, during the course of an inquiry or other form of intervention in respect of a charity, it appears that there is or may be a matter of relevance to the other jurisdiction, the case officer will contact OSCR or the Commission (as appropriate) via the designated point of contact (see below).

6.2. In appropriate circumstances, and subject to advice from their respective legal officers, OSCR and the Commission may conduct joint case operations.

6.3. Where it appears likely that the conduct of a joint inquiry or other form of intervention will generate media interest in both jurisdictions, or, given the

profile and substance of the case, that a ministerial briefing ought to be considered, the Chief Executives of OSCR and the Commission will be consulted.

## **7. Designated points of contact**

- 7.1. In order to ensure that matters are handled at the appropriate level, and that developing policy considerations are taken fully into account, contact between the Commission and OSCR should be established between designated points of contact (see Appendix). Where they consider it appropriate, designated points of contact may delegate ongoing liaison to members of their staff.

## **8. Other assistance**

- 8.1. As part of their respective staff training programmes, both the Commission and OSCR will ensure that their staff are made aware of the differing organisational, operational and legal frameworks. In order to facilitate this, appropriate staff will be offered familiarisation visits to each other's offices.
- 8.2. The Commission and OSCR will also explore the possibility of mounting joint training and development initiatives and, where practical, will offer places to each other's staff on relevant internal training courses, conferences and seminars.


## **9. General**

- 9.1. Whilst it is intended that the arrangements in this Memorandum should apply generally, it is recognised that some circumstances will require special handling. Nothing in this Memorandum prevents the making of arrangements to meet specific exceptional needs.
- 9.2. Any disagreement arising from the interpretation of this Memorandum will be referred to the Chief Executives of OSCR and the Commission, who will endeavour to resolve it within the spirit implicit in the co-operation arrangements. The Memorandum will be amended if necessary to reflect the agreed outcome of the referral.
- 9.3. Once OSCR's statutory successor comes into being, this Memorandum will be reviewed and, as appropriate, replaced with longer-term arrangements for effective co-operation between both regulators.

Signed on behalf of the Office of the Scottish Charity Regulator

Jane Ryder

Chief Executive

  
20 May 2005

Date

Signed on behalf of the Charity Commission

Andrew Hind

Chief Executive



20 May 2005

Date

## Appendix

### Designated Points of Contact

<b>Area of Liaison</b>	<b>Charity Commission</b>	<b>OSCR</b>
Development and agreement of strategic policy	Chief Executive	Chief Executive
Development of Policy and Legal Framework	Director of Policy & Strategy and Director of Legal Services	Chief Executive Head of Charities
General approach to Operational Liaison	Head of Charity Services	Head of Resource Management Head of Monitoring & Investigation
Initial contact at Individual Casework Level	Head of Charity Services	Head of Monitoring & Investigation
Conduct of Joint Inquiries	Head of Compliance	Head of Monitoring & Investigation



## The Commissioners and Executive Directors

### Management of the Commission today

Governance responsibilities for strategy and future direction of the Commission rest with its Board of non-executive Commissioners. Corporate decision making that affects the day-to-day operation of the Commission is delegated to the Executive Group. This group is chaired by the Chief Executive and includes the three Directors and the Head of Strategy and Change. The Directors are responsible for Operations, Policy, Resources and Legal Services. The Directors' duties include implementing the programmes and policies arising from the Board and ensuring effective service delivery.

The Board is supported by an Audit Committee and a Civil Service Pay Committee. The Directors are each supported by committees comprising their own senior staff together with representatives of other key parts of the organisation.

### The Non-executive Commissioners

#### Chair

#### Geraldine Peacock, CBE



**Geraldine Peacock** joined the Charity Commission as a Commissioner in July 2003. She was appointed as its first Chair in July 2004. She is the first woman and person with a disability (she has Parkinson's Disease) to head up the Commission.

Geraldine has in depth experience of the voluntary sector. Prior to joining the Commission she was Chief Executive of The Guide Dogs for the Blind Association (1997 - 2003), and the first paid Chief Executive of the National Autistic Society (1989 - 1997). She was Chair of ACEVO (1996 -1999). Geraldine was a trustee and Executive Committee member of the National Council for Voluntary Organisations (2000 - 2003). On taking up her current post she stood down from being the Chair of Ground Breakers (the Voluntary Sector Women Leaders Network); the interim Chair of Futurebuilders; and a Civil Service Commissioner. She also wrote a weekly column for Third Sector magazine. Geraldine is currently a Trustee of the Inge Wakehurst Trust.

Geraldine is a qualified Social Worker who has worked in the fields of medical social work, juvenile justice, child abuse and disability. She has also held academic posts in English, Scottish and US Universities (including the Open University) in Social Policy and Social Work. Immediately before entering the Voluntary Sector she was Deputy Director of The London Boroughs Training Committee. Geraldine jointly authored *The Magic Roundabout*, a recently published guide to Social Investment for charities.

Geraldine is a member of the Social Investment Taskforce set up by the Chancellor of the Exchequer in 2002. She is a member of the Advisory Committee of the Active Committee Directorate (Home Office). Recently, she was appointed to the Advisory Board for the Harvard Business School's (MBA) Initiative on Social Enterprise. She served on the Strategy Unit's Advisory Group for the Review of Charity Law and Regulation.

In 2001 Geraldine was made a CBE for her services to the voluntary sector. In 2002, she received the Charity Finance Magazine/Leadership Trust award for Outstanding Achievement in Charity Management and in 2003 she was voted Britain's most admired Charity Chief Executive.

#### Lindsay Driscoll



**Lindsay Driscoll** joined as Legal Commissioner in August 2003. She qualified as a solicitor with a city firm and then spent some years in Kenya as Assistant Registrar General in charge of the Public Trustee Office and Lecturer at the Post Graduate school of Law.

On her return to this country she worked as a charity law consultant before joining NCVO where she worked for eight years latterly as Head of the Legal and Governance Department. She left NCVO to be a partner in the firm of Sinclair Taylor and Martin specialising in charity law. For the last few years she has also been working internationally providing technical assistance and training on NGO Law in a number of countries.

Lindsay was for many years a member of the executive committee of the Charity Law Association and has written and spoken extensively on charity law issues. Over the years she has served on the boards of several charities and not-for-profit organisations.

### David Unwin



**David Unwin** practised at the Bar from 1972 to 2001, doing a range of Chancery and commercial work including a special focus on charity cases. As the Treasury Junior Counsel in charity matters from 1987 to 1995, he acted for the Attorney General in charity advice and litigation, and he has since acted for a number of major charities.

In addition to his charity expertise, David is also widely experienced in trusts and equity, professional negligence, commercial and company law disputes and entertainment. He took Silk in 1995.

David joined the Commission as a non-executive legal Commissioner in January, 2002.

### John Williams



**John Williams** joined the Charity Commission as a non-executive Commissioner in January 2005. He has a background in advertising, marketing and corporate communications and now works as an independent consultant specialising in reputation management and communications strategy. He is a co-founder and former Chairman of the corporate communications consultancy Fishburn Hedges, having started his career in consumer advertising with J Walter Thompson. He has advised clients ranging from the biggest multinational companies to government departments and agencies, universities and several charities.

John developed a particular interest in corporate social responsibility and also built a practice serving the voluntary sector, covering corporate identity, public relations, fundraising strategy and crisis management. He led the external team that helped transform The Spastics Society into Scope over a five-year period.

He has been a volunteer in the charity sector for some years. John is currently Chairman of the governance and leadership think tank, Tomorrow's Company and a board member of Business in the Community. Until recently, he was Deputy Chair of ChildLine and played a central role in steering its merger with the NSPCC. John is also a former trustee of the Family Welfare Association and a Fellow of the Royal Society of Arts.



## Tess Woodcraft



**Tess Woodcraft's** two main specialist areas are diversity and equal opportunities, and communications.

She started her career in publishing and went on to be an academic lawyer before starting work in the voluntary sector – first in an advice centre in Nottingham and then as communications officer for Gingerbread, the association for one parent families.

Tess spent some years working on equal opportunities for the trade union NALGO (Unison) and then moved to become a radio and television journalist working on BBC Radio 4 and Channel 4, before returning to the voluntary sector as Chief Executive of Kids Clubs Network (4 Children).

After two years as Head of Communication for Islington Council, she co-founded the Centre for Strategy and Communication, a training and consultancy company working with clients in the voluntary, public and housing sectors.

She has been on a number of voluntary and charity boards: New Ways to Work, Children in Need (SE Panel), Maternity Alliance, National Council for One Parent Families, National Children's Bureau, Liberty and Child Poverty Action Group. Tess was also a member of the Board of the Children's Play and Recreation Unit (an NDPB) and is currently a Commissioner on the Equal Opportunities Commission.

## The Executive Directors

### Chief Executive

#### Andrew Hind



**Andrew Hind**, formerly chief operating officer of the BBC World Service, joined the Charity Commission as its first chief executive from 4 October 2004.

Andrew has extensive experience working with the charity sector. He was a senior executive with ActionAid (1986 - 1991) and Barnardo's (1992 - 1995) before moving to the BBC in 1995. Andrew has also served as a trustee of several major charities, including VSO, the UK Committee for UNICEF, the Diana, Princess of Wales Memorial Fund and a number of smaller charities in his local community in north London.

Andrew was co-founder in 1988 of the Charity Finance Directors' Group (CFDG) - an organisation promoting excellence in financial management for charities. He was Chair of CFDG from 1992 - 1994. He is the author of *The Governance and Management of Charities*, and a former judge of the national Charity Awards.

Andrew is a member of the Audit Committee of the Commonwealth Secretariat.

## The Directors

### Nick Allaway



**Nick Allaway** joined the Commission as **Executive Director, Charity Information and Corporate Services** early in 2004. Previously he was Director of Finance for six years at the New Opportunities Fund (now the Big Lottery Fund). Nick is responsible for managing the Commission's Finance, Human Resources, IT and Facilities Management services. In earlier careers he worked in various management roles in central government in departments as diverse as Culture, Media and Sport, Cabinet Office and Environment. He is a qualified accountant.

### Rosie Chapman



**Rosie Chapman** is the **Executive Director, Policy and Effectiveness**. She has responsibility for ensuring that the Commission is able to shape a legal, regulatory and governance framework which enables charities to maximise their potential, anticipating and taking account of changes in the external environment in which charities and the Charity Commission operate, and the way in which the Commission delivers its services. The Policy and Strategy Directorate is also responsible for delivering the Commission's strategy and change programme, supported by business planning and development processes.

Prior to joining the Commission, Rosie spent six years at the Housing Corporation in a variety of roles. This culminated with her role as Assistant Director (Regulation Policy), managing teams responsible for developing key regulatory policies and strategies. During her time at the corporation, Rosie oversaw a wholesale review of the corporation's regulatory requirements and the way in which compliance is assessed. In the past she has worked for New Islington & Hackney Housing Association, acting as company secretary for a number of charitable organisations, and in local government.

She is a Fellow of the Institute of Chartered Secretaries and Administrators and a Fellow of the Royal Society of Arts.

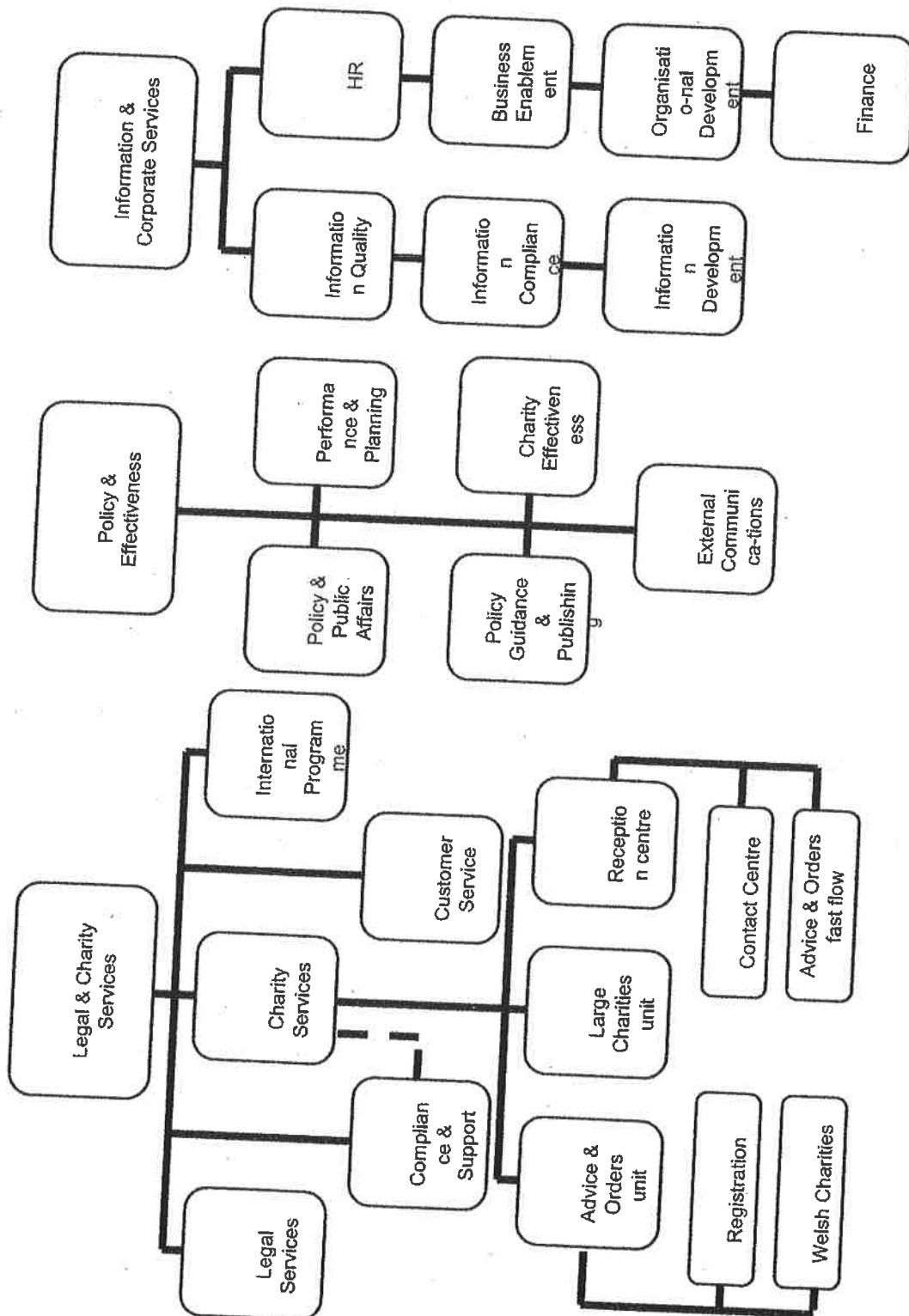
### Kenneth Dibble



**Kenneth Dibble** is **Executive Director, Legal and Charity Services**. Kenneth has responsibility for the provision and overall management of the Commission's Charity Services including the Contact Centre, Registration, Advice and Orders, Large charities and Compliance and Support services and also for the legal services of the Commission. He also has responsibility for the Commission's customer services and for its International Programme.

Kenneth has over twenty years experience of charity law and regulation gained with the Commission. His previous career was in banking and insurance.

A barrister by profession, Kenneth is also an Associate of the Chartered Institute of Bankers.

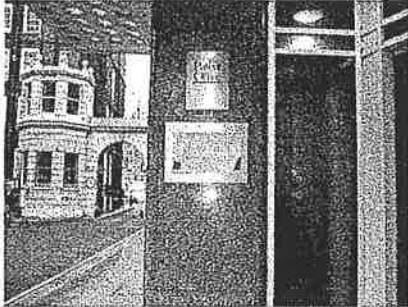




## チャリティ委員会の4事務所

### London Office

Harmsworth House, 13-15 Bouverie Street, London, EC4Y 8DP



ロンドン事務所の入り口



Commissioner の Driscoll 氏と Williams 氏

### Liverpool Office

12 Princes Dock, Princes Parade, Liverpool, L3 1DE

(London Euston 駅から Virgin West Coast 線で約 2 時間半)

### Taunton Office

Woodfield House, Tangier, Taunton, Somerset, TA1 4BL

(London Paddington 駅から、First Great Western 線で約 2 時間)



トーントン事務所が入っている建物



トーントンの街並み

### Newport Office

8<sup>th</sup> Floor, Clarence House, Clarence Place, Newport, South Wales, NP19 7AA

(London Paddington 駅から、First Great Western 線で約 1 時間)



チャリティ委員会が財務省に提示したサービス提供合意 (Service Delivery Agreement: SDA) における主要業績評価指標 (Key Performance Indicator: KPIs) の年度別変遷

【出典： 】

(1) 登録手続き所要日数

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績	---	117	97	85	69	44	?	?
計画	---	(95)	(95)	(92)	(88)	(87)	(86)	

(2) 年次報告額の提出率

① £ 250K以上

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績	95%	96%	96.5%	96.9%	97.5%	98.1%	?	?
計画		(100%)	(100%)	(100%)	(97.5%)	(97.6%)	(97.7%)	

② £ 10 ~ 100K

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績	81%	84%	87.6%	87%	87.2%	89.1%	?	?
計画		(80%)	(85%)	(86%)	(87%)	(88.0%)	(89%)	

(3) 登録データ・エントリー率

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績	89%	98%	99%	99%	100%	97.6%	?	?
計画		(88%)	(90%)	(92%)	(95%)	(96%)	(97%)	

(4) 助言・相談件数

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績	21,849	21,549	23,129	24,559	27,896	27,054	?	?
計画		(20,000)	(22,700)	(23,600)	(24,500)	(24,750)	(25,000)	

(5) 訪問調査 (Review Visit) 実施件数

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績	321	315	124	611	604	603	(600)	(600)
計画				(600)	(600)	(600)		

(6) Investigation 実施件数

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績			238	321	423	325		
計画				(315)	(315)	(315)		

(7) 不正・不適切運営指摘件数

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績		658	586	657	615	515		
計画					(660)	(645)		

(8) 法手続き執行件数

年度	99/00	00/01	01/02	02/03	03/04	04/05	05/06	06/07
実績		3,817	3,854	4,116	5,140	5,129	?	?
計画		(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)	





## チャリティ委員会の出版物等

## 1. CC 出版物 (CC Publications)

コード	原題	邦題	出版年
CC1	Charity Commission Publications	チャリティ委員会出版物	
CC2	Charities and the Charity Commission	チャリティとチャリティ委員会	7/02
CC3	The Essential Trustee: What you need to know	受託者必携：知っておくべきこと	6/05
CC3(a)	Responsibilities of Charity Trustees: A Summary	チャリティ受託者の責務 (概要)	1/02
CC4	Charities for the Relief of Financial Hardship	経済的困窮救済のためのチャリティ	8/03
CC6	Charities for the Relief of Sickness	病気救済のためのチャリティ	3/00
CC7	Ex Gratia Payments by Charities	チャリティによる任意給付	12/01
CC8	Internal Financial Controls for Charities	チャリティのための内部財務管理	12/03
CC9	Campaigning and Political Activities by Charities	チャリティによるキャンペーンおよび政治的活動	9/04
CC11	Payment of Charity Trustees	チャリティ受託者への支払い	5/04
CC12	Managing Financial Difficulties and Insolvency in Charities	チャリティにおける財政困難と破産状態の管理	9/04
CC13	The Official Custodian for Charities' Land Holding Service	チャリティの土地保有サービスのための公的管理人	9/04
CC14	Investment of Charitable Funds: Basic Principles	公益目的基金への投資：基本原則	12/04
CC18	Use of Church Halls for Village Hall and Other Charitable Purposes	教会ホールの集会所およびその他公益目的での利用	7/01
CC19	Charities' Reserves	チャリティの積立金	4/02
CC20	Charities and Fund-raising	チャリティと資金獲得活動	7/04
CC20(a)	Charities and Fund-raising: A Summary	チャリティと資金獲得活動 (概要)	3/02
CC21	Registering as a Charity	チャリティとしての登録	11/04
CC22	Choosing and Preparing a Governing Document	定款等の選定および準備	12/03
CC23	Exempt Charities	免除チャリティ	12/01
CC24	Users on Board: Beneficiaries who become trustees	理事会への利用者の参加：受益者が受託者となる場合	3/00
CC27	Providing Alcohol on Charity Premises	チャリティの施設内におけるアルコールの提供	11/02
CC28	Disposing of Charity Land	チャリティの土地の処分	11/03
CC29	Charities and Local Authorities	チャリティと地方自治体	3/01
CC33	Acquiring Land	土地取得	4/01
CC35	Charities and Trading	チャリティと商業活動	7/01
CC36	Amending Charities' Governing Documents: Orders and Schemes	チャリティの定款等の変更：オーダーとスキーム	2/04
CC37	Charities and Contracts	チャリティと契約	9/03
CC38	Expenditure and Replacement of Permanent Endowment	基本財産の消費および変更	1/03

CC40	Disaster Appeals: Attorney General's Guidelines	災害援助：法務長官の指針	1/02
CC42	Appointing Nominees and Custodians: Guidance under s.19(4) of the Trustee Act 2000	名義人および管理人の運営	2/01
CC43	Incorporation of Charity Trustees	チャリティ受託者の法人化	7/02
CC44	Small Charities: Transfer of Property, Alteration of Trusts, Expenditure of Capital	小規模チャリティ：財産の譲渡、信託の変更、資産の消費	3/04
CC45	The Register of Charities: Information and services available	チャリティ登録簿：利用できる情報およびサービス	10/03
CC47	Complaints about Charities	チャリティに対する苦情申し立て	5/03
CC47 (a)	Inquiries into Charities: Your rights and obligations	チャリティに対する審問：チャリティの権利および義務	5/03
CC48	Charities and Meetings	チャリティと会議	5/03
CC49	Charities and Insurance	チャリティと保険	9/03
CC59	Reporting the Activities and Achievements of Charities in Trustees' Annual Reports	受託者の年次報告書におけるチャリティの活動および業績報告	6/03
CC60	The Hallmarks of an Effective Charity	効果的なチャリティの認定	4/04
CC61	Charity Accounts: The framework	チャリティ財務報告：枠組み	10/02
CC63	Independent Examination of Charity Accounts: Directions and Guidance Notes	チャリティ財務報告の独立検査：監督と手引き	10/02
CC64	Receipts and Payments Accounts Pack	受領及び支払い計算書類パック	
CC65	Accruals Accounts Pack	計算書類パック	

## 2. 登録簿の再検討関連出版物 (Review of Register Publications)

コード	タイトル
RR1	The Review of the Register of Charities
RR1a	Recognising New Charitable Purposes
RR2	Promotion of Urban and Rural Regeneration
RR3	Charities for the Relief of Unemployment
RR4	The Recreational Charities Act 1958 HTML
RR5	The Promotion of Community Capacity Building
RR6	Maintenance of an Accurate Register
RR7	The Independence of Charities from the State
RR8	The Public Character of Charity
RR9	Preservation and Conservation
RR10	Museums and Art Galleries
RR11	Charitable Status and Sport
RR12	The Promotion of Human Rights
RR13	Promotion of the Voluntary Sector for the Benefit of the Public
RR14	Promoting the Efficiency and Effectiveness of Charities and the Effective Use of Charitable Resources for the Benefit of the Public

### 3. 規制レポート (Regulatory Reports)

コード	タイトル
RS1	Trustee Recruitment, Selection and Induction
RS1	Trustee Recruitment, Selection and Induction Annexes
RS2	Charities and Commercial Partners
RS3	Charity Reserves
RS3a	Charity Reserves: Key Findings
RS4	Collaborative Working and Mergers
RS4	Collaborative Working and Mergers: Annex A, B, C & D
RS4a	Collaborative Working and Mergers: Summary
RS5	Small Charities and Reserves
RS6	Milestones: Managing key events in the life of a charity
RS6	Milestones: Managing key events in the life of a charity: Annex A, B, C, D & E
RS6a	Milestones: Summary
RS7	Membership Charities
RS7	Membership Charities: Annex A, B, C & D
RS7a	Membership Charities: Summary
RS8	Transparency and Accountability
RS8	Transparency and Accountability: Annex A, B, C & D
RS9	Village Halls and Community Centres
RS9	Village Halls and Community Centres: Annex A, B, C & D
RS10	Start as you mean to go on: Trustee Recruitment and Induction
RS10	Start as you mean to go on: Trustee Recruitment and Induction Annex A, B, C, D & E

### 4. 業務手引き (Operational Guidance)

コード	タイトル
OG1	Orders and Schemes
OG5	Appointment of Receivers and Managers
OG11	Ex gratia payments by charities
OG15	Charity accounts and reports
OG17	Removal of organisations from the Register
OG18	Names of charities
OG22	Borrowing and mortgages
OG27	Reverter of Sites Act 1987
OG28	Equity sharing by charities and individuals: house purchase
OG38	Corporate trustees
OG39	Custodian trustees
OG41	Disqualification for acting as a charity trustee
OG42	Waiver of disqualification for acting as a charity trustee
OG43	Charity income reserves
OG47	Alterations to governing documents: charitable companies
OG48	Students' unions
OG49	Pooling schemes and pool charities
OG50	Incorporation of charity trustees
OG54	Disposals of charity interests in property
OG55	The Landfill Tax Credit Scheme
OG56	Local authorities and trustees
OG57	Exempt charities

OG58	Data Protection Act 1998
OG63	Providing alcohol on charity premises
OG65	Almshouse charities
OG68	Management of village halls
OG71	Human Rights Act 1998
OG79	Public Interest Disclosure Act 1998
OG83	Endowed charities: a total return approach to investment
OG86	Trustee Act 2000
OG92	Payment of trustees
OG93	Complaints about Commission standards of service
OG94	Requests for a Decision Review
OG96	Charities and terrorism
OG100	Trustee Indemnity Insurance
OG116	Investigating charities within a regulatory framework
OG200	Small charities: principles of Commission policy
OG201	Small charities provisions
OG202	Small charities: Dissolutions and removal from the Register
OG203	Small charities: Amendments to governing documents
OG204	Small charities: Disposal of charity land and buildings
OG205	Small charities: Trustee remuneration

**Charity**  
COMMISSION  
for England and Wales

[illegible]

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# Registration Application Form

## Notes for completing the Registration Application Form (APP 1)

### Definitions

We have tried to avoid using jargon or technical terms in this application form, however there are some words or phrases which have specific meanings and these are set out below:

- **Permanent endowment** - means an asset (land, buildings, investments or cash) which belongs to the organisation but which cannot be spent as if it were ordinary income. It must be held permanently (either to be used for the purposes of the charity, or to produce an income for the charity). The trustees will normally need our permission to spend permanent endowment.
- **Governing document** - this is the document or documents which set out the objects or purposes of the organisation and how it is to be administered. It will usually be a will, declaration of trust, memorandum and articles of association, constitution, or rules.
- **Objects** - these are the purposes of the charity. The Objects set out what the organisation was formed to achieve (they do not say what the organisation will do on a daily basis). Objects must be exclusively charitable if the organisation is to be recognised as a charity. We know that preparing the objects of a charity can be very difficult to get right, so we have published example charitable objects on our website (<http://www.charitycommission.gov.uk>).
- **Activities** - this is what the charity will do on a day-to-day basis to achieve the objects. Activities must be capable of furthering the objects of the charity. If they are not, then either the organisation is not a charity or the objects are wrongly drafted. Alongside the example objects we have published on our website, we have suggested some activities which might be undertaken in support of those objects.
- **Trustee benefits** - this includes any property, goods, or services which have a monetary value, as well as money. The law states that trustees cannot receive any benefit from their charity in return for any service they provide to it unless they have express legal authority to do so. This legal authority will come either:
  - from a clause in the charity's governing document; or
  - where there is no adequate clause in the governing document, from us or the Court.
- **Executed** - this means that the document in question has been signed and dated; it may also need to be sealed. In addition:
  - a **deed** may need to be stamped by the Inland Revenue stamp office (see note below);
  - a **memorandum and articles of association** will need to be incorporated at Companies House; and
  - a **will** will need to have been proved and a certificate of probate granted.

We can only register a charity which has a properly executed governing document.

- **Certified** - To certify a document, a person authorised by the trustees to do so, should write on the document "I certify that this is a true copy of [enter the name of the document]" and sign and date it.

**NB:** The Finance Act 2003 introduces changes to stamp duty. For charities this means that for deeds executed after 1 December 2003 the requirement for stamping will depend on the assets being held on trust. If the deed declares trusts over:

- stocks and shares, it should be sent to the Inland Revenue Edinburgh Stamp Office, in case it attracts Stamp Duty;
- land and buildings (freehold or leasehold), it does not require stamping - a separate certification procedure is now in place for Stamp Duty Land Tax;
- cash only, it does not require stamping.

Deeds executed before 1 December 2003 will require stamping.

Further information can be found on the Inland Revenue website ([www.hmrc.gov.uk](http://www.hmrc.gov.uk)) or by ringing the Stamp Office helpline: 0845 603 0135.

## Notes for completing the Registration Application Form (APP 1)

**Please read the following notes before completing this form.**

### **Why register as a charity?**

- An organisation which is entered on the register is accepted as a charity. The process of registration does not confer charitable status; it acknowledges it.
- An organisation which is charitable must apply to be registered unless it is exempt or excepted. These terms are explained in Part 1 in relation to Questions C, D and E.
- In particular, a small charitable organisation (unless it has permanent endowment or the use or occupation of any land) with an income which does not exceed £1,000 a year is not required to be registered. It can operate as a charity and enjoy the benefits of charitable status (eg access to tax reliefs) without having to satisfy any of the compliance obligations which fall upon registered charities. Although we are not obliged to do so, we can register a charity which can show that it has a realistic prospect of meeting these requirements within its first year of operation.

### **Why is it necessary to provide all the information requested on the form?**

- We have to apply charity law in making decisions to ensure that organisations applying for registration meet the legal requirements for being a charity, and are equipped to operate properly within the law. This involves examining the purpose for which the organisation has been set up and checking its activities or proposed activities to see whether these are capable of furthering the stated purpose. We will also need to be satisfied that the organisation is run for public benefit and not private advantage.
- In order to make these decisions we try to build up a picture of the organisation. You will be very familiar with what your organisation is doing (or hopes to do) and how you will go about doing that. However, we will know nothing about it. This means that the more information you are able to supply us with at the outset, the better our understanding will be. This makes our decision making easier and will mean that we are able to consider your application more quickly.
- **If the form is not completed as appropriate or any of the information marked \* on the checklist on page 43 is missing, we will return the entire application to you for completion and re-submission. We will not consider incomplete applications.**

### **How does the registration process work?**

- We have the general function of promoting effective use of charitable resources. We can do this by encouraging better methods of administration, by giving information and advice and by investigating and checking abuses. We have these functions whether or not a charitable organisation has been registered.
- We believe it is in the interests of charities, their supporters and their beneficiaries that charities should start life as well equipped as possible to tackle their objectives - and it is far better for potential problem areas to be addressed at the beginning rather than wait until difficulties surface.
- As a result, throughout the registration process (including any correspondence which results from considering your application), we will address not only the issue of whether your organisation is charitable but also any governance issues which arise and on which we think it is appropriate to offer guidance. On some occasions issues may arise where it is not clear whether they relate to charitable status or to governance or both. We will always try to make it clear in our correspondence whether we are raising questions about charitable status or governance, or both.
- Where we give guidance, we will make it clear whether a particular course must be followed, or whether we are recommending it as good practice. We cannot insist that our recommendations are followed, but we would be concerned if trustees ignored them without good reason.

# Registration Application Form

## Notes for completing the Registration Application Form (APP 1)

- As registration is the first stage in what will be an ongoing relationship between your organisation and the Commission this is a particularly suitable occasion for us to gather some basic information about your organisation which will help set off this relationship on an open and constructive basis.

### When does this form need to be completed?

It needs to be completed only when you have a clear idea of what the organisation will do and how it will operate. **Please do NOT apply until you have all the information you need to complete the form.** This will help us to provide as quick a service as possible. If the application form is not fully completed and/or the documents marked \* on the checklist are not enclosed, the application will be returned to you. We will only consider applications which are properly completed and accompanied by the required documentation.

If you need help completing this form or have any questions about the process of registration please telephone our Contact Centre (0845 300 0218) where our fully trained staff will be pleased to help. You may find it helpful to read CC21 Starting and Registering a Charity before completing this form.

**Please do not complete this form if you are establishing a company to take over the work and assets of an existing unincorporated registered charity. If you are “incorporating” please use the Incorporation Application Pack (RTN-1302) available from our Contact Centre or from our website.**

### Who needs to complete the form?

It can be completed either by:

- a charity trustee or proposed charity trustee, who is or will be one of the persons responsible for running the charity; or
- someone appointed by the charity trustees to act on their behalf.

### How long will the process take?

You should hear from us within 15 working days of submitting your application. Our response may be one of the following:

1. A request for further information if we do not consider we have enough information to make an assessment of the charitable status of your organisation.
2. An indication that in principle we are prepared to register, letting you know the steps involved to finalise the process.
3. Questions and/or advice on your governance arrangements (including risk) if we think your organisation might function more effectively by making some improvements - these questions may not have any direct bearing on whether your organisation is a charity but may be raised where we consider that by dealing with these issues at the beginning of your life as a charity you may avoid problems in the future. In any subsequent correspondence we will seek to differentiate issues which relate primarily to charitable status from issues which relate to governance, although on some occasions questions may have relevance to both.
4. An indication that rather more detailed consideration will be needed before we can give you a detailed response, for example, we may wish to take advice internally from lawyers or others before coming back to you in detail.

Inevitably the more unusual, novel or complex the case the longer it will take. But we recognise how important it is that small charities (those whose annual income is likely to be under £10,000) should receive a flexible and speedy response - and we may decide to defer asking questions about governance issues until a little later on in the life of the charity.



## Notes for completing the Registration Application Form (APP 1)

### Timescales for registration

We aim to decide an application for registration in an average of 87 working days. However, we expect to be able to complete this more quickly if the following apply:

- your organisation's income is less than £10,000 per year;
- you have used either:
  - a Commission or CLA model governing document without amendment and inserting specific charitable objects; or
  - a standard governing document without amendment and with the agreement of the issuing body; and
- you have answered fully and satisfactorily all of the questions on this form relevant to your organisation.

We will consider applications in respect of executed governing documents in whatever form. But the process will be completed much quicker if you have adopted either a standard or model governing document which has been previously agreed with us. More information can be found in Part 2 and in CC22 Choosing and Preparing a Governing Document.

### Applications in Welsh

We are happy to accept applications made in Welsh and which include a governing document in Welsh. However, we ask that if you are sending a governing document in Welsh you also include a certified translation into English. If you are unable to do this, we will arrange for a translation to be made. Whilst we do not wish to risk disagreement about the meaning or translation that might affect charitable status, we cannot accept any responsibility for mis-translation of a legally technical document.

Acceptance for registration as a charity means that the governing document of the organisation concerned will form part of the Register of Charities. The Register must be made available in a form which is understandable by the majority of the population of England and Wales to comply with the Charity Commission's statutory obligations. Whilst we require an English version of the document for these purposes the Welsh document also forms part of our registered particulars and is available for scrutiny by individuals visiting our offices and requesting to see it. Photocopies will also be available on request. The computerised Register will display the objects of the charity in both Welsh and English.

### The format of this application form

**Part 1** contains questions designed to check whether your organisation is eligible for registration.

**Part 2** (except questions 2, 3 and 7) seeks information which, together with details from your governing document, we will enter on the computerised Charity Database if your application is successful. Where that information will be publicly available from the Register (on our website or at our offices) this is indicated.

NB: The information you supply will be held by us for at least 5 years. It may be released to other regulators (such as the Police) in order for us to discharge our statutory duties, or to a third party in accordance with the provisions of the Freedom of Information Act 2000.

**Part 3** requests information which is primarily concerned with considering the charitable status of the organisation. The questions will also give us an insight into how your organisation works or proposes to work. Please complete as fully as you can. If you do not do this, it may delay your application as we will need to contact you for further details. **If you are using a standard governing document you will not need to complete part 3.**

# Registration Application Form

## Notes for completing the Registration Application Form (APP 1)

**Part 4** contains questions which will help us to form a view about aspects of governance and may identify areas where advice at this stage (or immediately after registration) might be helpful.

**Part 5** asks those organisations working with children or other vulnerable groups specific questions about the checks they may have to make with the Criminal Records Bureau.

**Part 6** acts as a checklist of documents we need to process your application. If you do not enclose those marked with a \* we will return the whole application to you, asking you to re-submit it when all the documents are available. This part also contains a certificate. This must be signed by the person making the application on behalf of the organisation. **Warning:** you must, of course, complete the form honestly to the best of your knowledge and belief. If you were to supply us with false or misleading information deliberately or recklessly you could be guilty of an offence under section 11 of the Charities Act 1993.

Where appropriate, notes to help you complete the form appear on the page facing each question. If you have any problems with completing the form please call our Contact Centre on 0870 3330123 where our fully trained staff will be happy to help.

### Where to send the completed form

- If your organisation is based in Wales you should send your application to our Newport office.
- If your organisation is based in England it will depend on your annual income. Organisations with an annual income of less than £10,000 should apply to our Liverpool office; organisations with an annual income of £10,000 or more should apply to our Taunton office.
- Charities administered by the National Health Service are dealt with in our Liverpool office regardless of income.
- All charities connected with the Armed Forces are dealt with in our Taunton Office regardless of income.

### Our address

#### Liverpool

3rd & 4th Floor  
12 Princes Dock  
Princes Parade  
Liverpool  
L3 1DE

#### Taunton

Woodfield House  
Tangier  
Taunton  
Somerset  
TA1 4BL

#### Newport

8th Floor  
Clarence House  
Clarence Place  
Newport  
South Wales  
NP19 7AA

## Part 1: Preliminary questions designed to establish whether you are entitled to be registered

We are the **Charity Commission for England and Wales**.

This means we can only register organisations based in England and/or Wales.

**A**

**Companies only** - go straight to Question B if your organisation is not a company

Is the company (to be) incorporated in England and Wales?

☐ YES ☐ NO

If you have answered "**YES**", please proceed to Question C.

If you have answered "**NO**", then do not proceed further with the application, as we cannot register overseas companies.

**B**

### All other organisations

(i) Does the governing document (ie the document which sets out the purposes and method of administration) of your organisation make it clear that the organisation is governed by the law of England and Wales?

☐ YES ☐ NO

If you have answered "**YES**", please proceed to Question C.

If you have answered "**NO**", please see (ii) below.

(ii) Does the governing document make it clear that the organisation is governed by the law of some other country?

☐ YES ☐ NO

If you have answered "**YES**", then do not proceed any further with the application, as we cannot register your organisation.

If you have answered "**NO**", please see (iii) below.

(iii) Do any of the following apply to your organisation?

(a) The organisation's centre of administration is or will be in England and/or Wales;

☐ YES ☐ NO

(b) All or a majority of the persons who are, or will be, responsible for the management of the organisation are resident in England and/or Wales;

☐ YES ☐ NO

(c) All or most of the organisation's assets are, or will be, held in England and/or Wales.

☐ YES ☐ NO

(d) Are the objects of the organisation to be fulfilled within England and/or Wales.

☐ YES ☐ NO

If you have answered "**No**" to two or more of the questions in (iii) above, then you may not be able to register your organisation with us (please call our Contact Centre for further advice).

If you have answered "**YES**", please proceed with this application as we may be able to register your organisation.

# Registration Application Form

## Part 1: Preliminary questions designed to establish whether you are entitled to be registered - Notes

### C

We cannot register exempt charities. Exempt charities include:

- most State schools;
- Higher Education Corporations;
- charities which are also Industrial and Provident Societies, or Friendly Societies.

Further guidance on exempt charities can be found in our publication CC23 - Exempt Charities.

If you are unsure if your organisation is an exempt charity, please telephone our Contact Centre before completing the application.

### D

If you do not have land or property, then please answer this question on the basis of the level of income you expect to have in your first year. It is not our policy to register organisations with an annual income of less than £1,000. See also Part 2, Question 6.

### E

Some charities are excepted from the need to register. Examples include:

- some charities for promoting the efficiency of the Armed Forces;
- some charities for the advancement of Religion; and
- places of worship, which have been registered under section 9 of the Places of Worship Act 1855.

This is not a complete list, and so if you are unsure if your organisation is an excepted charity, please telephone our Contact Centre before completing the application.

# Registration Application Form

## Part 1: Preliminary questions designed to establish whether you are entitled to be registered

**C**

If charitable, would your organisation qualify as an exempt charity?

☐ YES ☐ NO

If you have answered **"YES"**, then do not proceed further with this application, as we cannot register your organisation.

If you have answered **"NO"**, please proceed to Question D.

**D**

Does (or will) your organisation have any one or more of the following?

(i) Permanent endowment (see page 2 "definitions").

☐ YES ☐ NO

(ii) A total income from all sources exceeding £1000 per year.

☐ YES ☐ NO

(iii) The use or occupation of any land, including buildings (for example, if your organisation leases or has a licence to occupy any land, including buildings AND is listed as the ratepayer by the local authority you should tick "YES").

☐ YES ☐ NO

If you have answered **"YES"** to any part of Question D, please complete the rest of this form as your organisation, if charitable, will be required to register.

If you have answered **"NO"** to all parts of Question D, then your organisation, if charitable, will not meet the minimum requirements for registration, and you need not proceed with the application.

**E**

Does your organisation qualify as an excepted charity?

☐ YES ☐ NO

If you have answered **"YES"**, you will not need to complete the rest of this form.

If you have answered **"NO"** to this question, you will need to complete the rest of this form.

# Registration Application Form

## Part 2 - Notes

The information requested in this part of the application form (except Questions 2, 3 and 7) together with other information taken from your organisation's governing document, is the information we will enter on to the computerised Register if your application is successful. This information will be publicly available at our offices and on our website <http://www.charitycommission.gov.uk>

### Q1

#### NAME OF ORGANISATION

If the Commission thinks the name of your organisation is too similar to another charity on the Register and might cause confusion, then you may be asked to change it. We advise that you check the Public Register of Charities before choosing a name. The Register is available on our website: <http://www.charitycommission.gov.uk> or you can telephone our Contact Centre.

More information about the choice and use of names for a charity can be found in CC21 - Registering as a Charity.

### Q2

#### DATE OF FIRST OPERATION

Please put the date when the organisation was first formed and/or became active. For example, the date it began fund-raising or held its first trustee meeting. If you do not know the exact date please put down the month and year or just the year (eg 00/03/1991 or 00/00/1991).

## Part 2: Details for our database and the Public Register (to be completed by all applicants)

## NAME OF ORGANISATION

Main name

[illegible][illegible][illegible]

## DATE OF FIRST OPERATION

D	D	M	M	Y	Y	Y	Y
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# Registration Application Form

## Part 2 - Notes

### Q3

#### GOVERNING DOCUMENT

If you have any questions about types of governing document please read our publication CC22 - Choosing and Preparing a Governing Document.

#### Model governing documents

We produce model forms:

- Model Memorandum and Articles of Association for a Charitable Company - GD1;
- Model Declaration of Trust for a Charitable Trust - GD2;
- Model Constitution for a Charitable Unincorporated Association - GD3.

These are available free of charge. Copies can be obtained from our Contact Centre or can be printed from our website.

The Charity Law Association (CLA) also produce approved model governing documents for which a charge is made. To order copies of the CLA documents please e-mail Eileen Tyler, the CLA administrator, at [admin@charitylawassociation.org.uk](mailto:admin@charitylawassociation.org.uk).

#### Standard governing documents

Some large national charities and voluntary organisations produce standard governing documents for use by associated organisations. These standard governing documents contain both agreed objects and administrative provisions which are specific to a particular type of organisation. A list of organisations for which a standard governing document has been agreed can be found on our website: [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk).

If you have adopted a standard governing document we will need confirmation that you are entitled to use it.

If you have used a standard governing document **without amendment** you will not need to complete Part 3 or Part 4 of this form. All other parts **MUST** be completed.

**If you have used either a model or standard governing document, but have made changes to it, please highlight those changes for us.**



## Part 2

### Q3

Has your organisation used:

- ☐ A model governing document produced by the Commission or the Charity Law Association? (Please complete the form in full)
- ☐ A standard governing document produced by another organisation? (Please complete the form **except** Part 3 and Part 4)

Please state the name of the organisation which issued your standard governing document (eg MIND or NCPTA)

[illegible]

- ☐ A document that has been drafted specifically for your organisation? (Please complete the form in full)

# Registration Application Form

## Part 2 - Notes

## Part 2

## Q4

**(a)** Please tick the box which most applies to your organisation:

- ☐ **Local** (ie is confined to 5 counties or fewer)
- ☐ **National** (ie covers more than 5 counties of England and/or Wales)
- ☐ **Overseas** (ie it works exclusively outside England and Wales (this would include organisations who work exclusively in other parts of the United Kingdom))
- ☐ **National and Overseas** (ie its work is carried out both in England and/or Wales and overseas)
- ☐ **Wales** (ie all of Wales)

**(b)** Please state the specific places in which your organisation will carry out its work

County/Unitary Authority

[illegible]

District/London Borough

[illegible]

Place/Parish

[illegible]

### Welsh Language option

- ☐ Please tick this box if, following registration, your organisation wishes to receive an Annual Return and Register Check Form in both English and Welsh.

# Registration Application Form

## Part 2 - Notes

### Q5

#### CHARITY CONTACT DETAILS

##### (a) Correspondent details

Correspondent details are required for all organisations. You must give us the full name and date of birth of the organisation's correspondent. Titles such as "The Correspondent" or "Clerk" are no longer acceptable.

This name will appear on the Public Register on our website **unless** you provide an alternative in the "Preferred name" box (at 5(b)). **We do not display date of birth information** but it is required for identification purposes. Unless you have chosen a "preferred name" in (b) all official correspondence will be addressed to the person named here eg Dr Sarah Shah OBE.

##### (b) Preferred correspondent name (eg Honorary Secretary)

Use this box **ONLY** if you do not wish the correspondent's personal name to be displayed on the Public Register. All official correspondence will be addressed using the preferred name. For example if the correspondent's name is Dr Sarah Shah, she may prefer letters to be addressed to Dr Shah or The Secretary.

## Part 2

**(c) If your organisation works or aims to work internationally, please state the specific continent(s) or country(ies) in which it will carry out its work.**

[illegible][illegible]

## CHARITY CONTACT DETAILS

[illegible][illegible][illegible][illegible]

D	D	M	M	Y	Y	Y	Y
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[illegible][illegible]

# Registration Application Form

## Part 2 - Notes

### **(d) Main address**

You must give the full address. This address will appear on the Public Register as the contact address for the charity (unless (e) below applies).

### **(e) Making the address public**

The main address will be displayed on our website. If there is a good reason for not making the main address of the organisation known to the public (for example if the main address is that of a women's refuge and it would put those using it at risk if this was made public) you will need our permission. The alternative address will then appear on the Public Register.

**We rely on the trustees to ensure the address of the correspondent is an active address and we will assume anything sent to this address will be seen by all the trustees.** The trustees are responsible for ensuring that the correspondent knows what is required of them.

### **(g) Organisation's e-mail address**

If your organisation has an e-mail address, please indicate whether we can use it to send official communications (for example, annual returns and notification of the publication of our newsletter, CC News). The e-mail and website address will appear on the Public Register on our website.

## Part 2

## Number and street

[illegible]

Street (continued)

[illegible]

Town/city

[illegible]

County

[illegible]

Postcode

[illegible]

Can the main address be made available to the public?

☐ YES ☐ NO

Please attach reasons for requesting non-disclosure, including an alternative address which can be made public; the full address must still be given above.

## Main phone number (including STDS code)

[illegible]

Alternative phone number (where applicable)

[illegible]

Fax number (including STDS code)

[illegible]

Organisation's e-mail address

[illegible]

**Can we send official communications to this address?**

☐ YES      ☐ NO

Organisation's website address

[illegible]

# Registration Application Form

## Part 2 - Notes



## Part 2

Please complete the boxes if you are using a different address while we are dealing with this application

[illegible][illegible][illegible][illegible][illegible]

--	--	--	--	--	--	--	--

[illegible][illegible][illegible]

# Registration Application Form

## Part 2 - Notes

### Q6

#### FINANCIAL INFORMATION

If your organisation has been in existence for more than a year please answer question (a), and if appropriate (b).

If your organisation has not completed a full year's operation please answer question (c).

- (a) Gross income means all of the money the organisation has received from all sources, including grants, gifts, sales of goods and services. If the gross annual income is less than £1,000, your organisation may not meet the minimum requirements for compulsory registration. We will not normally register charities that have an income of less than £1,000, unless they own or occupy land or property.

- (c) Please enclose business plans or firm offers of funding, to support your answer. If you do not, your application may be returned.

## Part 2

### Q6

**(a)** If the organisation has been in existence for more than a year please state:

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

[illegible]

**(b) If accounts are unavailable please state why and give figures for income and expenditure for the last completed financial year:**

[illegible][illegible]

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

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D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

[illegible]

# Registration Application Form

## Part 2 - Notes

### Q7

Please let us have details of the bank account in which the funds of the organisation are held. If the organisation does not yet have a bank account, please provide details of the proposed name of the account, and the mandate details. A copy of the letter from the bank confirming that the account will be opened on registration should be attached to the application form. We recommend a minimum of two signatories to each account operated by the organisation.

## Part 2

**Q7**

Please give details of the account in which charitable funds are or will be held

[illegible]

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[illegible]

Please note: This information will not be available to the public.

# Registration Application Form

## Part 2 - Notes

### Q8

#### CHARITY CLASSIFICATION

The Register classifies charities according to their purposes, beneficiaries and method of operation. This makes it easier for people to use the Register.

# Registration Application Form

## Part 2

**Q8**

### CHARITY CLASSIFICATION

Place a tick opposite each classification that applies to your charity. Please tick at least one box in each Element. You may tick more than one box in each Element where several apply. Only tick boxes significant to your charity (eg do not tick 301 or 302 if you never or only rarely give grants). You do not need to tick the same number of boxes in each Element.

#### Element 1: Topic (What)

- |  |  |
|--|--|
| <input type="checkbox"/> 101 General charitable purposes | <input type="checkbox"/> 108 Religious activities                      |
| <input type="checkbox"/> 102 Education/training          | <input type="checkbox"/> 109 Arts/culture                              |
| <input type="checkbox"/> 103 Medical/health/sickness     | <input type="checkbox"/> 110 Sport/recreation                          |
| <input type="checkbox"/> 104 Disability                  | <input type="checkbox"/> 111 Animals                                   |
| <input type="checkbox"/> 105 Relief of poverty           | <input type="checkbox"/> 112 Environment/conservation/heritage         |
| <input type="checkbox"/> 106 Overseas aid/famine relief  | <input type="checkbox"/> 113 Economic/community development/employment |
| <input type="checkbox"/> 107 Accommodation/housing       | <input type="checkbox"/> 114 Other or none of these                    |

#### Element 2: Beneficiaries (Who)

- |  |   |
|--|---|
| <input type="checkbox"/> 201 Children/young people                             | <input type="checkbox"/> 205 Other charities/voluntary bodies |
| <input type="checkbox"/> 202 Elderly/old people                                | <input type="checkbox"/> 206 Other defined group not listed   |
| <input type="checkbox"/> 203 People with disabilities/<br>special needs        | <input type="checkbox"/> 207 The general public/mankind       |
| <input type="checkbox"/> 204 People of a particular ethnic<br>or racial origin |   |

#### Element 3: Method of Operation (How)

- |  |  |
|--|--|
| <input type="checkbox"/> 301 Makes grants to individuals<br>(includes loans)                     | <input type="checkbox"/> 306 Provides services (eg care/counselling) |
| <input type="checkbox"/> 302 Makes grants to organisations<br>(includes schools, charities, etc) | <input type="checkbox"/> 307 Provides advocacy/advice/information    |
| <input type="checkbox"/> 303 Provides other finance (eg<br>pensions/investment fund)             | <input type="checkbox"/> 308 Sponsors or undertakes research         |
| <input type="checkbox"/> 304 Provides human resources (eg<br>staff/volunteers)                   | <input type="checkbox"/> 309 Acts as an umbrella or resource body    |
| <input type="checkbox"/> 305 Provides buildings/facilities/open<br>space                         | <input type="checkbox"/> 310 Other or none of these                  |

# Registration Application Form

## Part 3 - Notes

**If you are using a standard governing document you do not need to complete this part of the application form.**

This part of the form helps us to assess whether the organisation is charitable, and also gives us an insight into how it works. Please answer Question 9 as fully as possible. Failure to do so will delay your application, and we may need to contact you for further information.

### Q9

All charities have to demonstrate that they are for the benefit of the public. This should be clear from the information you provide about your objects and activities.

#### **Objects**

Please insert the objects exactly as they appear in your governing document.

We have provided space for three specific objects. If your organisation has more than three objects, please include details on a separate sheet of paper. You may photocopy additional copies of page 29 for completion.

#### **Activities**

Please provide full details of what activities will be carried out for each of the objects (eg educating the young by providing trained teachers). Do not copy details of the powers from your governing document. Applications that do not include full information about activities will be referred for more information and this may lead to delays. If this section is left blank the form will be returned to you for completion.

The activities must show how the organisation achieves its objects. Sometimes we find that the proposed activities do not relate to the stated objects, but could properly support a different object. We need to ensure there is no mismatch between objects and proposed activities and have a proper picture of what the organisation intends to do. If there is a problem we may be able to suggest new objects for the organisation.

It might be helpful to supply a business plan or copy of a grant application to share your initial ideas with us.

If you are unsure about what type of information it would be appropriate to supply, please telephone our Contact Centre 0845 300 0218.



### Part 3: Objects and how these will be achieved

Object 1 (please insert the first object stated in your governing document)

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51

## Part 3

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52

## Part 3

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# Registration Application Form

## Part 4 - Notes

### Q10

#### FUNDING

Information about fund-raising is available in CC20 - Charities and Fund-raising.

## Part 4: Governance

## FUNDING

--	--	--	--	--	--	--	--	--

**Please enclose copies of any material used for fund-raising from the public.**

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This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.

# Registration Application Form

## Part 4 - Notes

### Q11

If you intend to use professional fund-raisers, you have to have a formal written agreement satisfying the requirements of Part II Charities Act 1992 with each professional fund-raiser. Information is available in CC20 - Charities and Fund-raising.

### Q12

#### Connected persons

Connected persons are defined in the Charities Act 1992. They include:

- anyone living with a founder or a trustee as their husband or wife;
- the children, parents, grandchildren, grandparents, brothers and sisters of a founder or trustee, and anyone living with any of them as their husband or wife;
- the trustees of any private trust of which the beneficiaries or potential beneficiaries include the founder or any trustee or anyone mentioned above;
- business partners of the founder or any trustee or of anyone mentioned above; or
- firms or businesses (not including those which are wholly owned by one or more charities) in which the founder and any trustee and anyone mentioned above, taken together, has or have ownership of at least one-fifth of the shares in the company or the ability to direct how at least one-fifth of the voting power is exercised.

## Part 4

## Q11

Do you intend to make use of professional fund-raising consultants?

☐ YES      ☐ NO

If "YES", please supply details.

[illegible]

## Q12

**(a) Will the founder or any of the trustees or any person, company or other body connected with any of the trustees benefit in any way, directly or indirectly, from the organisation?**

☐ YES      ☐ NO

If "YES", please provide the following details (use a separate sheet if necessary)

Name

[illegible]

Relationship to trustee(s)

[illegible]

# Registration Application Form

## Part 4 - Notes

**Q12**

Trustees benefits include payments such as a salary or a fee, or services provided by the charity.



## Part 4

## Q12

**TRUSTEES' BENEFITS (continued)**

<b>Details of the benefit(s) in question:</b>	
<b>Justification for the benefit:</b>	
<b>Evidence of how the decision to award the benefit was made:</b>	

- (b)** Will the founder or any of the trustees or any person, company or other body connected with any of the trustees have an interest in land or buildings occupied or to be occupied by the organisation?



YES

☐

NO

If "YES", please provide the following details (use a separate sheet if necessary)

Name

[illegible]

Address or location of property

[illegible]

# Registration Application Form

## Part 4 - Notes

# Registration Application Form

## Part 4

Nature of the ownership/tenure of the property:

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Terms on which the organisation will use the property (copies of any leases, licences, agreements, etc must be supplied):

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Details of who is responsible for the running costs of the property:

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---

---

Details of any repairs or improvements to be carried out at the expense of the organisation:

---

---

---

---

# Registration Application Form

## Part 5 - Notes

In this part of the form we ask you to confirm that you have assessed the risks to your organisation and that any appropriate checks and other safeguards have been put in place to protect your organisation's trustees, employees, volunteers and beneficiaries.

### Q13

Some organisations working with or providing services to children or other vulnerable groups (for example adults with a learning difficulty) are required to make checks through the Criminal Records Bureau (CRB) before appointing anyone as a trustee, employee or volunteer. Further information is available on the CRB website ([www.disclosure.gov.uk](http://www.disclosure.gov.uk)).

If you are not required by law to make these checks but the organisation is to permit its employees, volunteers or trustees to be in contact with children or vulnerable groups we recommend that voluntary checks are made with the CRB.

Organisations working with children or vulnerable adults are advised to adopt a suitable protection policy. For example, an organisation which offers one-to-one private discussions to children should have an adequate Child Protection Policy. Many umbrella bodies and national charities offer help in preparing these. Some of these organisations charge a fee for their services. More information can be found on our website [www.charitycommission.gov.uk/supportingcharities/protection.asp](http://www.charitycommission.gov.uk/supportingcharities/protection.asp)



# Registration Application Form

## Part 5 - Notes

# Registration Application Form

## Part 5

**Q17**

Does your organisation have a policy, procedure or set of criteria which it can use in case the results of a check with CRB raise concerns or issues about the appropriateness of the appointment being contemplated by the organisation?

☐ YES ☐ NO

If "YES", please attach details.

# Registration Application Form

## Part 6 - Notes

**Don't forget to keep a copy of this form and enclosures for future reference.**



# Registration Application Form

## Part 6 - Checklist and Certificate

### APPLICATION CHECKLIST

**You should keep a photocopy of this form for your own records, and for the benefit of future trustees of the organisation.**

- (a) This form, fully completed, and accompanied by supporting documentation concerning activities and income, and any additional sheets used.\* ☐
- (b) Two certified copies of the organisation's executed governing document.\* ☐
- (c) A certified copy of either:
  - Certificate of incorporation (companies)\*; or ☐
  - The minutes of the general or special meeting of members at which the constitution was adopted (unincorporated associations)\*. ☐
- (d) If relevant, any supplemental deeds or special resolutions which have amended the governing document. Please do **NOT** send originals of governing documents. ☐
- (e) If relevant, evidence that you are entitled to use a standard governing document (see Q3). ☐
- (f) Declaration (DEC 1) completed by **ALL** trustees.\* ☐
- (g) If relevant, copies of child protection policies or procedures. ☐
- (h) If the organisation has completed more than a full year's operation, copies of financial accounts for up to the last 3 years. ☐

**If accounts are unavailable please state why and give figures for income and expenditure for the last completed financial year:**

**Now please sign the certification on the this page.**

# Registration Application Form

## Part 6 - Notes

### **CERTIFICATION**

We need accurate information to carry out the functions of registering, advising and protecting charities in the public interest. Please take care to check that the information you are giving us is correct.

**Please note that Section 11 of the Charities Act 1993 makes it an offence to deliberately or recklessly provide us with false or misleading information.**

## Part 6

Please sign below when you are ready to submit this application.

I certify that the information provided is correct to the best of my knowledge and belief.

--

Date \_\_\_\_\_

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

Name of signatory (please print clearly)

[illegible]

Role (eg chair, secretary, professional adviser etc)

[illegible]

Typeset by  
Graphic Design & Control Section, Charity Commission

Supplied by Linney Group  
xxxx x/xx



Printed on Recycled Paper

This form asks for the full name (including previous or alternative names), address, occupation, date of birth and signature of **every** person who is, or it is known will be, a charity trustee. We ask for this information so that we can identify those persons who are, or will be, the charity trustees and can contact them if necessary. Where, in exceptional circumstances and with prior agreement, we have agreed to consider a draft governing document we want all those who expect to be the first trustees to sign this declaration.

Fields marked with an \* must be completed. If any information marked \* is not included we will return the form for completion. This may delay your application.

We require the date of birth of each trustee for two reasons. We need to ensure that each trustee is over the age of 18, persons under the age of 18 cannot be held legally responsible for their acts and decisions as a trustee, and do not usually have any voting rights (except where the organisation is a company). We also need to be able to distinguish between trustees who have the same name and address. The **name** of every trustee will appear on the Public Register of Charities, but addresses and dates of birth will only be recorded on our internal database and not on the Public Register.

We will not refuse to register an organisation simply on the grounds that this form has not been signed, but we will enquire why the trustees feel unable to do so. The people listed on this form will be sent information about trusteeship on registration, it is therefore important you let us know if the trustees change.

Further copies of the declaration form can be obtained from our website or from us on request if necessary, or you may photocopy additional pages if you prefer.

PLEASE COMPLETE IN BLACK INK AND CAPITAL LETTERS (forms which are not legible or are not completed in BLACK may be returned)

Number of charity trustees

--	--

- We are willing to act as charity trustees in respect of the above named organisation and are fully aware of the organisation's purpose as set out in form APP 1 (Application for Registration as a Charity).
- We are not disqualified from acting as a charity trustee, for example, because of unspent convictions for dishonesty offences (see CC3).
- We understand the responsibilities involved in running a charity and will run the charity in accordance with the guidelines set out in publication CC3.

# Declaration by Charity Trustees

1

PLEASE USE BLOCK CAPITALS AND BLACK INK

Signature

Title

\*Personal name(s)

\*Family name

Suffix (eg OBE)

FULL PRIVATE ADDRESS: \*Number and street

\*Street (continued)

\*Town/city

\*County

\*Postcode

\*Date of birth

Occupation

\*Other names - Please list all previous and other current names by which you are, or have been, known (eg name before marriage)

2

PLEASE USE BLOCK CAPITALS AND BLACK INK

Signature

Title

\*Personal name(s)

\*Family name

Suffix (eg OBE)

FULL PRIVATE ADDRESS: \*Number and street

\*Street (continued)

\*Town/city

\*County

\*Postcode

\*Date of birth

Occupation

\*Other names - Please list all previous and other current names by which you are, or have been, known (eg name before marriage)

## 3

**Signature**

[illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible]

--	--	--	--	--	--	--	--

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

[illegible][illegible]

## 4

**Signature**

[illegible][illegible][illegible][illegible][illegible][illegible][illegible][illegible]

--	--	--	--	--	--	--	--

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

[illegible][illegible]

# Declaration by Charity Trustees

5

PLEASE USE BLOCK CAPITALS AND BLACK INK

Signature

Title

\*Personal name(s)

\*Family name

Suffix (eg OBE)

FULL PRIVATE ADDRESS: \*Number and street

\*Street (continued)

\*Town/city

\*County

\*Postcode

\*Date of birth

Occupation

\*Other names - Please list all previous and other current names by which you are, or have been, known (eg name before marriage)

6

PLEASE USE BLOCK CAPITALS AND BLACK INK

Signature

Title

\*Personal name(s)

\*Family name

Suffix (eg OBE)

FULL PRIVATE ADDRESS: \*Number and street

\*Street (continued)

\*Town/city

\*County

\*Postcode

\*Date of birth

Occupation

\*Other names - Please list all previous and other current names by which you are, or have been, known (eg name before marriage)



APP 2  
(Version 10/04)

# Registration Application Form

## Part 1

### Financial Information

Please insert either the annual income of the company to date or the expected income of the company. (Note: where the company has no assets of its own and is relying on the transfer of assets from the original charity, please give the income of the original charity for the last completed financial year.)

Annual income of the company

or

income of original charity in the last financial year

--	--	--	--	--	--	--	--	--	--

--	--	--	--	--	--	--	--	--	--

Please state the date the financial year ends

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

Please attach accounts for the company if it has been in existence for more than one financial period. If the accounts for the company are not available please attach accounts for the original charity for the last complete financial year.

### Charity Classification

The Register of Charities contains a system of classifying charities by reference to their purposes, beneficiaries and method of operation. The main purpose of the new simplified classification system is to:

- identify groups of charities not easily identified by keywords alone;
- identify broad groups of charities in which we or others have a particular interest;
- give a general profile of how the Register is made up.

Place a tick opposite each classification that applies to your charity. Please tick at least one box in each Element. You may tick more than one box in each Element where several apply. Only tick boxes significant to your charity (ie do not tick "Grantmaker" if you never or only rarely give grants). You do not need to tick the same number of boxes in each Element.

#### Element 1: Topic (What)

- |  |  |
|--|--|
| <input type="checkbox"/> 101 General charitable purposes | <input type="checkbox"/> 108 Religious activities                      |
| <input type="checkbox"/> 102 Education/training          | <input type="checkbox"/> 109 Arts/culture                              |
| <input type="checkbox"/> 103 Medical/health/sickness     | <input type="checkbox"/> 110 Sport/recreation                          |
| <input type="checkbox"/> 104 Disability                  | <input type="checkbox"/> 111 Animals                                   |
| <input type="checkbox"/> 105 Relief of poverty           | <input type="checkbox"/> 112 Environment/conservation/heritage         |
| <input type="checkbox"/> 106 Overseas aid/famine relief  | <input type="checkbox"/> 113 Economic/community development/employment |
| <input type="checkbox"/> 107 Accommodation/housing       | <input type="checkbox"/> 114 Other or none of these                    |

**Part 1 (continued)**

☐ 201 Children/young people

202 Elderly/old people

☐ 203 People with disabilities/  
special needs

☐ 204 People of a particular ethnic or racial origin

☐ 205 Other charities/voluntary bodies

☐ 206 Other defined group not listed


☐ 207 The general public/mankind

☐ 301 Makes grants to individuals (includes loans)

☐ 302 Makes grants to organisations  
(includes schools, charities, etc)

☐ 303 Provides other finance (eg pensions/investment fund)

☐ 304 Provides human resources (eg staff/volunteers)

 305 Provides buildings/facilities/open space

☐ 306 Provides services (eg care/counselling)☐ 307 Provides advocacy/advice/information

☐ 308 Sponsors or undertakes research

☐ 309 Acts as an umbrella or resource body

☐ 310 Other or none of these

Please enclose a copy of the charity trustees' annual report for the last completed financial year in respect of the original charity. **If the company will carry out any activities not currently undertaken by the original charity please provide details.**

[illegible]

## Part 1 (continued)

**(a) Please tick the box which most applies to your organisation:**

- ☐ **Local** (ie is confined to 5 counties or fewer)
- ☐ **National** (ie covers more than 5 counties of England and/or Wales)
- ☐ **Overseas** (ie it works exclusively outside England and Wales (this would include organisations who work exclusively in other parts of the United Kingdom))
- ☐ **National and Overseas** (ie its work is carried out both in England and/or Wales and overseas)
- ☐ **Wales** (ie all of Wales)

**(b) Please state the specific places in which your organisation will carry out its work**

[illegible][illegible][illegible]

☐ Please tick this box if, following registration, your organisation wishes to receive an Annual Return and Register Check Form in **both** English and Welsh.

## Part 2

This address will be recorded in the Register of Charities and will be where the public will be able to contact your organisation. It is this address that will be displayed on our website. In some cases there may be a good reason for not making the main address of the organisation known to the public. If this is so, you will need our permission, and should give a reason why the address should not be made public. In that case, please give another address at which the correspondent for your organisation can regularly be contacted by the public.

**This address may be made available to the public**

☐ Yes ☐ No

Title of correspondent

[illegible][illegible][illegible][illegible][illegible][illegible]

--	--	--	--	--	--	--	--

[illegible]

## Part 2 (continued)

[illegible][illegible][illegible][illegible]

□

Yes

12	
----	--

No

[illegible]

## Name of correspondent

[illegible][illegible]

--	--	--	--	--	--	--	--

[illegible][illegible][illegible]

### Part 3

We need accurate information to carry out the functions of registering, advising and protecting charities in the public interest. Please take care to check that the information you are giving us is correct.

Please sign below when you are ready to submit this application.

I certify that the information provided is correct to the best of my knowledge and belief.

Signature

--

Date \_\_\_\_\_

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

Name of signatory (please print clearly)

[illegible]

Role (eg chair, secretary, professional adviser etc)

[illegible]

**For organisations which will work with children and/or vulnerable adults (for example adults with learning difficulty):**

Does the charity work with children or vulnerable adults?

10	
20	
30	
40	
50	
60	
70	
80	
90	
100	

Yes

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
---	---	---	---	---	---	---	---	---	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	----	-----

No

Even if not legally required we consider it good practice for all reasonable checks to be made in accordance with the principles enshrined in the Protection of Children Act 1999. (See Note 4)

If you said 'Yes' please sign the declaration below.

I certify that to the best of my knowledge all legally required checks have been made through the Criminal Records Bureau for every [trustee] [and] [employee] and that no information which gave a cause for concern was identified.

(Delete words in [] as required.)

Signature

--

Date \_\_\_\_\_

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

Name of signatory (please print clearly)

[illegible]

Role (eg chair, secretary, professional adviser etc)

[illegible]

# Registration Application Form

## Part 4

### Checklist for submission

When you make your application you will need to enclose the following documents:

A certified copy of the memorandum and articles of association of the new charity	<input type="checkbox"/>
A certified copy of the certificate of incorporation	<input type="checkbox"/>
Accounts for the original charity	<input type="checkbox"/>
Accounts for the new company (if available)	<input type="checkbox"/>
Annual Report of the original charity	<input type="checkbox"/>
DEC 1 form	<input type="checkbox"/>
Preliminary checklist (from the guidance pack)	<input type="checkbox"/>
Child protection policy (if applicable)	<input type="checkbox"/>
This form	<input type="checkbox"/>

### Notes on completion

1. When completing the application form (APP 2) please write clearly or in UPPER CASE letters.
2. If you have any difficulty in completing the form or you would like some further information about the process please call our Contact Centre on 0870 333 0123. Please note that when completing this application form certain details as indicated, will appear on the Public Register of Charities available on our website.
3. The Commission has a statutory duty to register charities. The information requested in the application form is required by us to ensure that the new company meets the criteria for registration as a charity and to ensure that assets which the charity trustees expect to be able to pass across to the company can in fact be so transferred. **Please note, that it is an offence under Section 11 of the Charities Act 1993 knowingly or recklessly to provide us with false or misleading information which could reasonably be expected to be used by us in order to discharge any of our statutory functions under the Act.**
4. In accordance with our general policy and procedures we ask all charities working with children or vulnerable adults to consider whether they need to make checks with the Criminal Records Bureau for charity trustees, employees, volunteers or other persons who may have access to children or vulnerable adults. Information about whether or not the charity trustees should undertake such checks is available from the CRB website ([www.crb.gov.uk](http://www.crb.gov.uk)). As a matter of good practice we would encourage the charity trustees of all charities who either are or may work with children or vulnerable adults to carry out as many checks as possible, and as are reasonable, to ensure the safety of beneficiaries and charity trustees, employees and volunteers for whom they are responsible. We also ask all such charities to have a Child Protection Policy and we like to have a copy of that submitted with all applications. This need not be a complex document, but should set out basic rules for reporting incidents, dealing with reports of incidents, and mechanisms to protect both beneficiaries, charity trustees, employees and volunteers where suspicions or accusations are raised. Advice on child protection can be obtained from a variety of sources including local Social Services, Department of Health and charities such as the NSPCC.



# Declaration by Charity Trustees

## Declaration by Charity Trustees

This form asks for the full name (including previous or alternative names), address, occupation, date of birth and signature of **every** person who is, or it is known will be, a charity trustee. We ask for this information so that we can identify those persons who are, or will be, the charity trustees and can contact them if necessary. Where, in exceptional circumstances and with prior agreement, we have agreed to consider a draft governing document we want all those who expect to be first trustees to sign this declaration.

We will check this information against various databases (for example, those of Companies House and the Insolvency Service) to satisfy ourselves that the individuals actually exist and are not disqualified from acting as trustees.

Fields marked with an \* must be completed. If any information marked \* is not included we will return the form for completion. This may delay your application.

We ask for details of occupation as it is useful when considering an organisation for registration, to establish the relevant qualifications of trustees who act in connection with certain types of charity, for example charities offering medical treatment.

We require the date of birth of each trustee for two reasons. We need to ensure that each trustee is over the

age of 18, persons under the age of 18 cannot be held legally responsible for their acts and decisions as a trustee, and do not usually have any voting rights (except where the organisation is a company). We also need to be able to distinguish between trustees who have the same name and address. The **name** of every trustee will appear on the Public Register of Charities, but addresses and dates of birth will only be recorded on our internal database and not on the Public Register.

The signatories are also asked to confirm whether they have read guidance contained in our publications CC21 Registering as a Charity and CC3 Responsibilities of Charity Trustees. The reason for this is that we consider it of great importance that trustees are made aware of the duties and responsibilities of their position at the outset. We therefore ask each of the trustees to sign the declaration.

We will not refuse to register an organisation simply on the grounds that this form has not been signed, but we will enquire why the trustees feel unable to do so. The people listed on this form will be sent information about trusteeship on registration, it is therefore important you let us know if the trustees change.

Further copies of the declaration form can be obtained from our website or from us on request if necessary, or you may photocopy additional pages if you prefer.

**Providing us with information which you know or suspect to be false may be a criminal offence under section 11 of the Charities Act 1993. It is an offence to act as a trustee whilst disqualified (section 73 of the Charities Act 1993 and sections 35 and 36 of the Criminal Justice and Court Services Act 2000).**

PLEASE COMPLETE IN BLACK INK AND CAPITAL LETTERS (forms which are not legible or are not completed in BLACK may be returned)

Name of charity	

Reference number (if any)

--	--	--	--	--	--	--	--

Number of charity trustees

--	--

We, the undersigned, declare that:

- We are willing to act as charity trustees in respect of the above named organisation and are fully aware of the organisation's purpose as set out in form APP 2 (Application for Registration as a Charity).
- We are not disqualified from acting as a charity trustee, for example, because of unspent convictions for dishonesty offences (see CC21, paragraph 32).
- We understand the responsibilities involved in running a charity and will run the charity in accordance with the guidelines set out in publication CC3.



# Declaration by Charity Trustees

3

PLEASE USE BLOCK CAPITALS AND BLACK INK

Signature

Title

\*Personal name(s)

\*Family name

Suffix (eg OBE)

FULL PRIVATE ADDRESS: \*Number and street

\*Street (continued)

\*Town/city

\*County

\*Postcode

\*Date of birth

DDMMYYYY

Occupation

Other names - Please list all previous and other current names by which you are, or have been, known.

4

PLEASE USE BLOCK CAPITALS AND BLACK INK

Signature

Title

\*Personal name(s)

\*Family name

Suffix (eg OBE)

FULL PRIVATE ADDRESS: \*Number and street

\*Street (continued)

\*Town/city

\*County

\*Postcode

\*Date of birth

DDMMYYYY

Occupation

Other names - Please list all previous and other current names by which you are, or have been, known.



## GD3-Model Constitution for a Charitable Unincorporated Association

(Version 07/04)

It may be appropriate to establish an unincorporated association where the organisation:

- s Is to be relatively small in terms of assets;
- s has a membership;
- s Is to be run by charity trustees who will be elected by members or appointed to hold office for fixed terms;
- s wants to take account of the views of local residents and organisations through membership or as users;
- s wishes to carry out its work wholly or partly through the voluntary effort and contributions of its members;

Where the organisation is to have a membership but is expected to have considerable resources and/or employ staff and become engaged in charitable purposes which involve commercial risks it is usually more appropriate to take the form of a charitable company for which our model memorandum and articles of association for a charitable company (GD1) can be used.

Before you complete this model, we recommend that you read our publications "Registering as a Charity" (CC21) and "Choosing and Preparing a Governing Document" (CC22). CC21 explains what types of organisations can be charities and which need to apply for registration. CC22 provides advice about choosing the most appropriate legal form for your charity, the practicalities of completing the charity's governing document and about the different provisions which may be needed. If you then propose to use this model constitution, please read it through carefully, including the guidance notes. The registration application Pack contains guidance and forms (APP1 and DEC1) to enable you to apply to us for registration of the charity. Organisations with projected annual incomes of under £10,000 which substantively use this model, and which complete the APP1 and DEC1 in full can expect to have their application decided well within the current average of 88 working days.

The model is not comprehensive, however, and if you want to include any special or complex provisions which are not contained in the model you should consider asking a solicitor to help you. We may require more time to consider any such specialist changes. It is important to make clear what changes you make.

When you have completed this document please check that you have filled in all the gaps, deleted any clauses which are not appropriate and numbered all the remaining clauses in sequence.

You will need to send to the Commission:

- s completed A001 and DEC1;
- s two certified copies of constitution; and
- s a certified copy of the minutes of the general meeting at which it was adopted.

Note: to certify a document, a person authorised by the trustees to do so should write on the document "I certify that this is a true copy of [enter the name of the document]" and sign and date it.

Applications from organisations based in Wales should be made to our Newport office. Applications from organisations based in England and elsewhere should be made to our Liverpool office (if the yearly income is expected to be less than £10,000) or to our Taunton office where the expected yearly income is above £10,000. The addresses are given below.

The Commission cannot guarantee that an organisation which uses a model as its governing document will be accepted as charitable. Every case has to be considered separately.

Charity Commission  
8th Floor  
Clarence House  
Clarence Place  
Newport  
South Wales  
NP19 7AA

Charity Commission  
2nd Floor  
20 Kings Parade  
Queens Dock  
Liverpool  
L3 4DQ

Charity Commission  
Woodfield House  
Tangier  
Taunton  
Somerset  
TA1 4BL

## CONSTITUTION

Insert the date of the meeting at which it was decided to adopt this constitution.

adopted on the.....20

## PART 1

## 1 Adoption of the Constitution.

The association and its property will be administered and managed in accordance with the provisions in Parts 1 and 2 of this constitution.

## 2 The Name.

The association's name is .....  
 .....  
 (and in this document it is called the Charity).

### 3 The Objects.

The Charity's objects (the Objects) are:

[illegible]

**Clause 1** - The constitution is in 2 parts. Part 1 covers the purposes of the charity and how its money and other property can be used. It also contains the powers to change the constitution and to wind the charity up. Part 2 sets out the administrative provisions, including membership, the appointment of charity trustees, members' and trustees' meetings and the powers available to the trustees in running the charity. The provisions in part 1 can only be changed by a 2/3rds majority of members present and voting at a meeting whereas those in part 2 can be changed by a simply majority of them.

**Clause 2 -** Insert the name of the charity. In general, the Commission can accept any name unless it infringes the principles set out in section 6 of the Charities Act 1993, which are explained in our publication CC21 and in our Operational Guidance (OG18 - "Names") available on our website. In very broad terms, the name should not be misleading, offensive or likely to be confused with the name of an existing charity.

**Clause 3** - Insert the purpose for which the charity has been formed. A charity's objects must be expressed in exclusively charitable terms and this calls for precise drafting. Guidance is available in our publication CC22 ("Choosing and Preparing a Governing Document") and example objects covering some of the most common charitable purposes are available on our website. The key elements to include are:

- the purpose itself (eg establishing and running a school);
  - the people who can benefit (in our example, school age children); and, if appropriate
  - any geographic limits which may be needed to define the area of benefit.
- This will not always be necessary. If you do include an area of benefit, it is common to define it by reference to a local government area: this has the advantage of clarity and simplicity, but can create problems if the area is subsequently altered or abolished.

## Notes

**Clause 4** - This clause directs how the charity's income and property should be used and what benefits may be allowed to members and trustees. Sub-clause 4(2) covers trustee expenses and sub-clause 4(3) covers members' benefits and those trustee benefits which do not require specific further authority. Sub-clause 4(4) prevents trustees from being rewarded for acting in that capacity, whilst sub-clauses 4(5) and 4(6) describe the procedures to follow if it is proposed to provide other trustee benefits not covered by sub-clause 4(3) or 4(4). Sub-clause 4(8) explains that these procedures must also be followed when people and organisations connected with a trustee stand to benefit.

**Sub-clauses 4(5) and 4(6)** - Note that trustees may only receive the types of benefits described in sub-clause 4(5) if they comply with the conditions of sub-clause 4(6). If followed, these procedures should avoid the conflict of interest that would otherwise arise when a trustee benefits from the charity. These restrictions and conditions extend to people closely connected to the trustees - see clause 4(8). These provisions do not prevent a Trustee from buying or leasing land from the charity: such transactions will however require the Commission's consent under s.36 of the Charities Act 1993. Existing charities wishing to adopt similar provisions can only do so with the Commission's prior consent.

## 4 Application of the Income and Property.

- (1) The income and property of the Charity shall be applied solely towards the promotion of the Objects.
- (2) A Trustee may pay out of, or be reimbursed from, the property of the Charity reasonable expenses properly incurred by him or her when acting on behalf of the Charity.
- (3) None of the income or property of the Charity may be paid or transferred directly or indirectly by way of dividend bonus or otherwise by way of profit to any member of the Charity. This does not prevent:
  - (a) a member who is not also a Trustee from receiving reasonable and proper remuneration for any goods or services supplied to the Charity;
  - (b) a Trustee from:
    - (i) buying goods or services from the Charity upon the same terms as other members or members of the public;
    - (ii) receiving a benefit from the Charity in the capacity of a beneficiary of the Charity, provided that the Trustees comply with the provisions of sub clause (6) of this clause, or as a member of the Charity and upon the same terms as other members;
  - (c) the purchase of indemnity insurance for the Trustees against any liability that by virtue of any rule of law would otherwise attach to a trustee or other officer in respect of any negligence, default breach of duty or breach of trust of which he or she may be guilty in relation to the Charity but excluding:
    - (i) fines;
    - (ii) costs of unsuccessfully defending criminal prosecutions for offences arising out of the fraud, dishonesty or wilful or reckless misconduct of the Trustee or other officer;
    - (iii) liabilities to the Charity that result from conduct that the Trustee or other officer knew or ought to have known was not in the best interests of the Charity or in respect of which the person concerned did not care whether that conduct was in the best interests of the Charity or not.
- (4) No Trustee may be paid or receive any other benefit for being a Trustee.
- (5) A Trustee may:
  - (a) sell goods, services or any interest in land to the Charity;
  - (b) be employed by or receive any remuneration from the Charity;
  - (c) receive any other financial benefit from the Charity,if:
  - (d) he or she is not prevented from so doing by sub-clause (4) of this clause; and



## Notes

- (e) the benefit is permitted by sub-clause (3) of this clause; or
  - (f) the benefit is authorised by the Trustees in accordance with the conditions in sub-clause (6) of this clause.
- (6) (a) If it is proposed that a Trustee should receive a benefit from the Charity that is not already permitted under sub-clause (3) of this clause, he or she must:
- (i) declare his or her interest in the proposal;
  - (ii) be absent from that part of any meeting at which the proposal is discussed and take no part in any discussion of it;
  - (iii) not be counted in determining whether the meeting is quorate;
  - (iv) not vote on the proposal.
- (b) In cases covered by sub-clause (5) of this clause, those Trustees who do not stand to receive the proposed benefit must be satisfied that it is in the interests of the Charity to contract with or employ that Trustee rather than with someone who is not a Trustee and they must record the reason for their decision in the minutes. In reaching that decision the Trustees must balance the advantage of contracting with or employing a Trustee against the disadvantage of doing so (especially the loss of the Trustee's services as a result of dealing with the Trustee's conflict of interest).
- (c) The Trustees may only authorise a transaction falling within paragraphs 5(a) - (c) of this clause if the trustee body comprises a majority of Trustees who have not received any such benefit.
- (d) If the Trustees fail to follow this procedure, the resolution to confer a benefit upon the Trustee will be void and the Trustee must repay to the Charity the value of any benefit received by the Trustee from the Charity.
- (7) A Trustee must absent himself or herself from any discussions of the Trustees in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Charity and any personal interest (including but not limited to any personal financial interest) and take no part in the voting upon the matter.
- (8) In this Clause 4, "Trustee" shall include any person firm or company connected with the Trustee.

**Sub-clause 4(8)** - Examples of a person connected with a trustee would include a child, parent, grandchild, grandparent, brother, sister or spouse or any person living with the trustee as his or her partner. Examples of a firm or company connected with a trustee would include ones in which the trustee is a partner, employee, consultant, director or shareholder, unless the shares of the company are listed on a recognised stock exchange and the trustee holds less than 1% of the issued capital.

## 5 Dissolution.

- (1) If the members resolve to dissolve the Charity the Trustees will remain in office as charity trustees and be responsible for winding up the affairs of the Charity in accordance with this clause.
- (2) The Trustees must collect in all the assets of the charity and must pay or make provision for all the liabilities of the charity.
- (3) The Trustees must apply any remaining property or money:
  - (a) directly for the Objects;

## Notes

Sub-clause 5(6) - The Charities Act 1993 sets out the accounting obligations on charities and our booklet CC61 "Charity Accounts: The Framework" also sets these out.

- (b) by transfer to any charity or charities for purposes the same as or similar to the Charity;
  - (c) in such other manner as the Charity Commissioners for England and Wales ("the Commission") may approve in writing in advance.
- (4) The members may pass a resolution before or at the same time as the resolution to dissolve the Charity specifying the manner in which the Trustees are to apply the remaining property or assets of the Charity and the Trustees must comply with the resolution if it is consistent with paragraphs (a) - (c) inclusive in sub-clause (3) above.
- (5) In no circumstances shall the net assets of the Charity be paid to or distributed among the members of the Charity (except to a member that is itself a charity).
- (6) The Trustees must notify the Commission promptly that the charity has been dissolved. If the Trustees are obliged to send the charity's accounts to the Commission for the accounting period which ended before its dissolution, they must send to the Commission the charity's final accounts.

## 6 Amendments.

- (1) Any provision contained in Part 1 of this constitution may be amended provided that:
- (a) no amendment may be made that would have the effect of making the Charity cease to be a charity at law;
  - (b) no amendment may be made to alter the Objects if the change would not be within the reasonable contemplation of the members of or donors to the Charity;
  - (c) no amendment may be made to clause 4 without the prior written consent of the Commission;
  - (d) any resolution to amend a provision of Part 1 of this constitution is passed by not less than two thirds of the members present and voting at a general meeting.
- (2) Any provision contained in Part 2 of this constitution may be amended, provided that any such amendment is made by resolution passed by a simple majority of the members present and voting at a general meeting.
- (3) A copy of any resolution amending this constitution must be sent to the Commission within twenty one days of it being passed.

## PART 2

**Clause 7** - For advice and guidance on best practice for running membership organisations, see our publication "Membership Charities" (RS7) available on our website or in hard copy from our Contact Centre.

**Sub-clause 7(4)** - It is very important for the good administration of the Charity to keep the register of members up-to-date; failure to do so can result in a number of problems, including serious difficulties with the calling of annual or extraordinary general meetings. The trustees must ensure that they handle personal data in accordance with the requirements of the Data Protection Act 1998.

**Sub-clause 8(3)** - The notice for any general meeting should remind members of this requirement. We would recommend that there is a reasonable gap between the deadline for payment of subscriptions (or any other regular payments by members to the charity) and the holding of a general meeting to reduce the risk of this becoming an administrative problem for the charity.

**Clause 9** - We provide guidance on meetings in our booklet CC48 "Charities and Meetings", produced in association with ICSA (The Institute of Chartered Secretaries and Administrators).

### 7 Membership.

- (1) Membership is open to individuals over eighteen or organisations who are approved by the Trustees.
- (2)
  - (a) The Trustees may only refuse an application for membership if, acting reasonably and properly, they consider it to be in the best interests of the Charity to refuse the application.
  - (b) The Trustees must inform the applicant in writing of the reasons for the refusal within twenty-one days of the decision.
  - (c) The Trustees must consider any written representations the applicant may make about the decision. The Trustees' decision following any written representations must be notified to the applicant in writing but shall be final.
- (3) Membership is not transferable to anyone else.
- (4) The Trustees must keep a register of names and addresses of the members which must be made available to any member upon request.

### 8 Termination of Membership.

Membership is terminated if:

- (1) the member dies or, if it is an organisation, ceases to exist;
- (2) the member resigns by written notice to the Charity unless, after the resignation, there would be less than two members;
- (3) any sum due from the member to the Charity is not paid in full within six months of it falling due;
- (4) the member is removed from membership by a resolution of the Trustees that it is in the best interests of the Charity that his or her membership is terminated. A resolution to remove a member from membership may only be passed if:
  - (a) the member has been given at least twenty-one days' notice in writing of the meeting of the Trustees at which the resolution will be proposed and the reasons why it is to be proposed;
  - (b) the member or, at the option of the member, the member's representative (who need not be a member of the Charity) has been allowed to make representations to the meeting.

### 9 General meetings.

- (1) The Charity must hold a general meeting within twelve months of the date of the adoption of this constitution.

## Notes

- (2) An annual general meeting must be held in each subsequent year and not more than fifteen months may elapse between successive annual general meetings.
- (3) All general meetings other than annual general meetings shall be called special general meetings.
- (4) The Trustees may call a special general meeting at any time.
- (5) The Trustees must call a special general meeting if requested to do so in writing by at least ten members or one tenth of the membership, whichever is the greater. The request must state the nature of the business that is to be discussed. If the Trustees fail to hold the meeting within twenty-eight days of the request, the members may proceed to call a special general meeting but in doing so they must comply with the provisions of this constitution.

## 10 Notice.

**Sub-clause 10(1)** - "Clear" days does not include the day on which the notice would be received by the member or the day on which the meeting is held - see sub-clause 28(5)(c). Section 81 of the Charities Act 1993 sets out how notice may be given by post. In broad terms, the charity may send notice to each trustee at the UK address held in the charity's records: no notice is required for trustees living outside the UK.

- (1) The minimum period of notice required to hold any general meeting of the Charity is fourteen clear days from the date on which the notice is deemed to have been given.
- (2) A general meeting may be called by shorter notice, if it is so agreed by all the members entitled to attend and vote.
- (3) The notice must specify the date, time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an annual general meeting, the notice must say so.
- (4) The notice must be given to all the members and to the Trustees.

## 11 Quorum.

**Sub-clause 11(1)** - This means that a quorum must be present when a matter is being discussed and voted on, in order for a decision on it to be validly made. If the meeting subsequently becomes inquorate, this will not invalidate earlier, quorate decisions.

**Sub-clause 11(2)** - Insert the figure for the quorum. This should be set with care. If it is too high, any absences may make it difficult to have a valid meeting. If it is too low, a small minority may be able to impose its views unreasonably. Note that sub-clauses 11(4)-(6) set out the procedure for dealing with situations where the meeting is inquorate.

- (1) No business shall be transacted at any general meeting unless a quorum is present.
- (2) A quorum is;  
  
s [ ] members entitled to vote upon the business to be conducted at the meeting; or  
  
s ONE Tenth of The TOTAL membership At The Time,  
  
whichever is the greater.
- (3) The authorised representative of a member organisation shall be counted in the quorum.
- (4) If:  
  
(a) a quorum is not present within half an hour from the time appointed for the meeting; or  
  
(b) during a meeting a quorum ceases to be present,

## Notes

the meeting shall be adjourned to such time and place as the Trustees shall determine.

- (5) The Trustees must reconvene the meeting and must give at least seven clear days' notice of the reconvened meeting stating the date, time and place of the meeting.

- (6) If no quorum is present at the reconvened meeting within fifteen minutes of the time specified for the start of the meeting the members present at that time shall constitute the quorum for that meeting.

**Sub-clause 11(6)** - Note that this provision permits the re-scheduled meeting to proceed without a quorum being present within 15 minutes of the specified start time. It also means that the number of members present 15 minutes after the scheduled start of the meeting will form the quorum if the quorum required at sub-clause 11(2) is not achieved.

## 12 Chair.

- (1) General meetings shall be chaired by the person who has been elected as Chair.
- (2) If there is no such person or he or she is not present within fifteen minutes of the time appointed for the meeting a Trustee nominated by the Trustees shall chair the meeting.
- (3) If there is only one Trustee present and willing to act, he or she shall chair the meeting.
- (4) If no Trustee is present and willing to chair the meeting within fifteen minutes after the time appointed for holding it, the members present and entitled to vote must choose one of their number to chair the meeting.

**Clause 13** - This is a discretionary power for the members to adjourn a quorate meeting - when the meeting is reconvened it must be quorate. This provision differs from the adjournment provisions in Clause 11 which are not discretionary and must be used where a general meeting is not quorate.

## 13 Adjournments.

- (1) The members present at a meeting may resolve that the meeting shall be adjourned.
- (2) The person who is chairing the meeting must decide the date time and place at which meeting is to be reconvened unless those details are specified in the resolution.
- (3) No business shall be conducted at an adjourned meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
- (4) If a meeting is adjourned by a resolution of the members for more than seven days, at least seven clear days' notice shall be given of the reconvened meeting stating the date time and place of the meeting.

## 14 Votes.

- (1) Each member shall have one vote but if there is an equality of votes the person who is chairing the meeting shall have a casting vote in addition to any other vote he or she may have.
- (2) A resolution in writing signed by each member (or in the case of a member that is an organisation, by its authorised representative) who would have been entitled to vote upon it had it been proposed at a general meeting shall be effective. It may comprise several copies each signed by or on behalf of one or more members.

## Notes

**Clause 15** - Organisations which are members ("corporate members") enjoy the same rights and duties as individual members. Our report "Membership Charities" (RS7) provides advice and guidance on managing corporate members.

## 15 Representatives of Other Bodies.

- (1) Any organisation that is a member of the Charity may nominate any person to act as its representative at any meeting of the Charity.
- (2) The organisation must give written notice to the Charity of the name of its representative. The nominee shall not be entitled to represent the organisation at any meeting unless the notice has been received by the Charity. The nominee may continue to represent the organisation until written notice to the contrary is received by the Charity.
- (3) Any notice given to the Charity will be conclusive evidence that the nominee is entitled to represent the organisation or that his or her authority has been revoked. The Charity shall not be required to consider whether the nominee has been properly appointed by the organisation.

## 16 Officers and Trustees.

- (1) The Charity and its property shall be managed and administered by a committee comprising the Officers and other members elected in accordance with this constitution. The Officers and other members of the committee shall be the trustees of the Charity and in this constitution are together called "the Trustees".
- (2) The Charity shall have the following Officers:  
  
A chair,  
  
A secretary,  
  
A treasurer.
- (3) A Trustee must be a member of the Charity or the nominated representative of an organisation that is a member of the Charity.
- (4) No one may be appointed a Trustee if he or she would be disqualified from acting under the provisions of Clause 19.
- (5) The number of Trustees shall be not less than three but (unless otherwise determined by a resolution of the Charity in general meeting) shall not be subject to any maximum.
- (6) The first Trustees (including Officers) shall be those persons elected as Trustees and Officers at the meeting at which this constitution is adopted.
- (7) A Trustee may not appoint anyone to act on his or her behalf at meetings of the Trustees.

**Clause 17** - Our report "Trustee Recruitment, Selection and Induction" (RS1) provides guidance on effective methods of recruiting new charity trustees and of familiarising them with the Charity.

## 17 The Appointment of Trustees.

- (1) The Charity in general meeting shall elect the Officers and the other Trustees.

## Notes

**Clause 18** - It is sensible to set out all the powers that the charity will commonly need, for the avoidance of doubt and to remind trustees of the conditions that have to be met when they exercise those powers. Some of these powers are implicit in a charity's objects (for example, if the object is to provide a school, the trustees have an implicit power to acquire premises). Other powers are given by statute, often only if specific conditions are met. For example, the Trustee Act 2000 gives trustees power to acquire and dispose of land, to borrow money in many circumstances, to delegate much of the running of the charity and to invest. However, there are some things that can be done only if the charity's governing document provides express power to do them.

**Paragraph 18(1)(a)** - This sub-clause provides a general power to raise funds through a wide variety of methods. The only restriction here is that it does not allow the charity to engage in substantial permanent trading for the purpose of raising funds. (Trading on a small scale is allowed. The Inland Revenue provides guidance on the tax treatment of different sorts of trading). The terms of this power do not prevent trading in order to carry out the charity's object - for example, an educational charity can charge fees for the educational services it provides.

**Paragraph 18(1)(b)** - This power is helpful if the charity is to acquire property either for use as office premises or functionally (such as a playground or school site). Our publication CC33 ("Acquiring Land") contains further guidance on the issue. See also notes to clause 26.

**Paragraph 18(1)(c)** - This power enables the trustees to dispose of property belonging to the charity (for example, by selling or leasing it). Sections 36 and 37 of the Charities Act 1993 apply to most charities and require compliance with certain conditions to ensure that charity property is disposed of for the best terms reasonably obtainable. Our publication CC28 ("Disposing of Charity Land") provides more information about this.

**Paragraph 18(1)(d)** - This provides the trustees with a power to borrow. It also makes clear that if this power involves securing the loan on land of the charity, it must comply with the requirements of sections 38 and 39 of the Charities Act 1993. Briefly, the Act requires that the trustees take advice and provide certain certificates / statements when they are borrowing money by way of mortgage. Our Operational Guidance OG22 ("Borrowing and Mortgages") on our website provides detailed information on this.

Notes for Clause 18 continue on page 12

- (2) The Trustees may appoint any person who is willing to act as a Trustee. Subject to paragraph 5(b) of this clause, they may also appoint Trustees to act as officers.
- (3) Each of the Trustees shall retire with effect from the conclusion of the annual general meeting next after his or her appointment but shall be eligible for re-election at that annual general meeting.
- (4) No-one may be elected a Trustee or an Officer at any annual general meeting unless prior to the meeting the Charity is given a notice that:
  - (a) is signed by a member entitled to vote at the meeting;
  - (b) states the member's intention to propose the appointment of a person as a Trustee or as an officer;
  - (c) is signed by the person who is to be proposed to show his or her willingness to be appointed.
- (5)
  - (a) The appointment of a Trustee, whether by the Charity in general meeting or by the other Trustees, must not cause the number of Trustees to exceed any number fixed in accordance with this constitution as the maximum number of Trustees.
  - (b) The Trustees may not appoint a person to be an Officer if a person has already been elected or appointed to that office and has not vacated the office.

## 18 Powers of Trustees.

- (1) The Trustees must manage the business of the Charity and they have the following powers in order to further the Objects (but not for any other purpose):
  - (a) to raise funds. In doing so, the Trustees must not undertake any substantial permanent trading activity and must comply with any relevant statutory regulations;
  - (b) to buy, take on lease or in exchange, hire or otherwise acquire any property and to maintain and equip it for use;
  - (c) to sell, lease or otherwise dispose of all or any part of the property belonging to the Charity. In exercising this power, the Trustees must comply as appropriate with sections 36 and 37 of the Charities Act 1993;
  - (d) to borrow money and to charge the whole or any part of the property belonging to the Charity as security for repayment of the money borrowed. The Trustees must comply as appropriate with sections 38 and 39 of the Charities Act 1993 if they intend to mortgage land;

## Notes

**Paragraph 18(1)(j)** - This power cannot be used if the goods or services are being provided by a trustee : see Clause 4.

**Paragraph 18(1)(k)** - Bank accounts - the trustees can make rules (under clause 29) to allow others associated with the operation of the charity such as employees or volunteers to sign cheques and other orders in relation to the charity's bank accounts so long as these activities are properly managed so as to reduce the risk of fraud. For example, the trustees might allow two senior volunteers to sign cheques up to a defined face value, with a limit on the total value of cheques which they are authorised to sign in any one month. In the case of charities which operate electronic bank accounts, we have provided guidance on trustee duties and best practice for operating such accounts. This is on our website. With regard to the delegation and management of funds, the Trustee Act 2000 provides wide powers of investment and requires the charity to take advice and to consider the need to invest in a range of different investments. Our publication CC14 ("Investment of Charitable Funds") provides more information about charity investments. The powers to employ agents, nominees and custodians are of particular use where the charity wishes to use an investment manager.

**Clause 19** - Our booklet CC3 - "Responsibilities of Charity Trustees" explains what section 72 of this Act covers. In very broad terms, someone who has been convicted of offences involving deception or fraud, or who is an undischarged bankrupt or who has been removed from office as a charity trustee by us will be disqualified for acting as a trustee.

- (e) to co-operate with other charities, voluntary bodies and statutory authorities and to exchange information and advice with them;
  - (f) to establish or support any charitable trusts, associations or institutions formed for any of the charitable purposes included in the Objects;
  - (g) to acquire, merge with or enter into any partnership or joint venture arrangement with any other charity formed for any of the Objects;
  - (h) to set aside income as a reserve against future expenditure but only in accordance with a written policy about reserves;
  - (j) to obtain and pay for such goods and services as are necessary for carrying out the work of the Charity;
  - (k) to open and operate such bank and other accounts as the Trustees consider necessary and to invest funds and to delegate the management of funds in the same manner and subject to the same conditions as the trustees of a trust are permitted to do by the Trustee Act 2000;
  - (l) to do all such other lawful things as are necessary for the achievement of the Objects;
- (2) No alteration of this constitution or any special resolution shall have retrospective effect to invalidate any prior act of the Trustees.
  - (3) Any meeting of Trustees at which a quorum is present at the time the relevant decision is made may exercise all the powers exercisable by the Trustees.

## 19 Disqualification and Removal of Trustees.

A Trustee shall cease to hold office if he or she:

- (1) is disqualified from acting as a Trustee by virtue of section 72 of the Charities Act 1993 (or any statutory re-enactment or modification of that provision);
- (2) ceases to be a member of the Charity;
- (3) becomes incapable by reason of mental disorder, illness or injury of managing and administering his or her own affairs;
- (4) resigns as a Trustee by notice to the Charity (but only if at least two Trustees will remain in office when the notice of resignation is to take effect); or
- (5) is absent without the permission of the Trustees from all their meetings held within a period of six consecutive months and the Trustees resolve that his or her office be vacated.



## Notes

Clause 20 - We provide further guidance on meetings in our booklet CC48 "Charities and Meetings".

Sub-clause 20(7) - where the total number of trustees is the mid-point between two numbers which can be divided by three, we recommend rounding up to the next multiple of three.

## 20 Proceedings of Trustees.

- (1) The Trustees may regulate their proceedings as they think fit, subject to the provisions of this constitution.
- (2) Any Trustee may call a meeting of the Trustees.
- (3) The secretary must call a meeting of the Trustees if requested to do so by a Trustee.
- (4) Questions arising at a meeting must be decided by a majority of votes.
- (5) In the case of an equality of votes, the person who chairs the meeting shall have a second or casting vote.
- (6) No decision may be made by a meeting of the Trustees unless a quorum is present at the time the decision is purported to be made.
- (7) The quorum shall be two or the number nearest to one third of the total number of Trustees, whichever is the greater or such larger number as may be decided from time to time by the Trustees.
- (8) A Trustee shall not be counted in the quorum present when any decision is made about a matter upon which that Trustee is not entitled to vote.
- (9) If the number of Trustees is less than the number fixed as the quorum, the continuing Trustees or Trustee may act only for the purpose of filling vacancies or of calling a general meeting.
- (10) The person elected as the Chair shall chair meetings of the Trustees.
- (11) If the Chair is unwilling to preside or is not present within ten minutes after the time appointed for the meeting, the Trustees present may appoint one of their number to chair that meeting.
- (12) The person appointed to chair meetings of the Trustees shall have no functions or powers except those conferred by this constitution or delegated to him or her in writing by the Trustees.
- (13) A resolution in writing signed by all the Trustees entitled to receive notice of a meeting of Trustees or of a committee of Trustees and to vote upon the resolution shall be as valid and effectual as if it had been passed at a meeting of the Trustees or (as the case may be) a committee of Trustees duly convened and held.
- (14) The resolution in writing may comprise several documents containing the text of the resolution in like form each signed by one or more Trustees.

## 21 Delegation.

- (1) The Trustees may delegate any of their powers or functions to a committee of two or more Trustees but the terms of any such delegation must be recorded in the minute book.
- (2) The Trustees may impose conditions when delegating, including the conditions that:

- the relevant powers are to be exercised exclusively by the committee to whom they delegate;
  - no expenditure may be incurred on behalf of the Charity except in accordance with a budget previously agreed with the trustees.
- (3) the trustees may revoke or alter a delegation.
- (4) all acts and proceedings of any committee must be fully and promptly reported to the trustees.

## 22 Irregularities in Proceedings.

- (1) Subject to sub-clause (2) of this clause, all acts done by a meeting of trustees, or of a committee of trustees, shall be valid notwithstanding the participation in any vote of a trustee:
- who was disqualified from holding office;
  - who had previously retired or who had been obliged by the constitution to vacate office;
  - who was not entitled to vote on the matter, whether by reason of a conflict of interest or otherwise,

if, without:

- the vote of that trustee; and
- that trustee being counted in the quorum,

the decision has been made by a majority of the trustees at a quorate meeting.

**Sub-clause 22(2)** - see clause 4 (and in particular sub-clause 4(5)) which sets out the restrictions on trustee benefits and the procedures to be followed if a benefit is to be allowed to a trustee.

- (2) Sub-clause (1) of this clause does not permit a trustee to keep any benefit that may be conferred upon him or her by a resolution of the trustees or of a committee of trustees if the resolution would otherwise have been void.
- (3) no resolution or act of:
- (a) the trustees;
  - (b) any committee of the trustees;
  - (c) the charity in general meeting,
- shall be invalidated by reason of the failure to give notice to any trustee or member or by reason of any procedural defect in the meeting unless it is shown that the failure or defect has materially prejudiced a member or the beneficiaries of the charity.

## Notes

**Clause 23** - Using the power to make rules at Clause 29, the trustees can decide in what format the minutes should be kept and how to validate them.

## 23 Minutes.

The Trustees must keep minutes of all:

- (1) appointments of Officers and Trustees made by the Trustees;
- (2) proceedings at meetings of the Charity;
- (3) meetings of the Trustees and committees of Trustees including:
  - s The names of the Trustees present at the meeting;
  - s The decisions made at the meetings; and
  - s where appropriate the reasons for the decisions.

**Clause 24** - Our booklet CC61 "Charity Accounts: The Framework" sets out the key accounting requirements for charities. All registered charities with incomes over £10k must send accounts, Annual Report and Annual Return to us within 10 months of the end of the financial year.

## 24 Annual Report and Return and Accounts.

- (1) The Trustees must comply with their obligations under the Charities Act 1993 with regard to:
  - (a) the keeping of accounting records for the Charity;
  - (b) the preparation of annual statements of account for the Charity;
  - (c) the transmission of the statements of account to the Charity;
  - (d) the preparation of an annual report and its transmission to the Commission;
  - (e) the preparation of an annual return and its transmission to the Commission.
- (2) accounts must be prepared in accordance with the provisions of any statement of recommended Practice issued by the Commission, unless the Trustees are required to prepare accounts in accordance with the provisions of such a statement prepared by another body.

**Sub-clause 24(1)(e)** - The annual return provides a summary of key financial data and is used by us for monitoring purposes to detect issues which might require our attention or guidance.

**Sub-clause 24(2)** - The Statement of Recommended Practice for charities is available on our website or in hard copy.

**Clause 25** - A charity's entry includes its name, correspondence address, objects, governing document (and any amendment) and names of its trustees. The Commission issues to every charity once a year a Trustee Details Update Form and Annual Return on which these details can conveniently be supplied, although changes to the correspondent details should be provided as soon as possible.

## 25 Registered particulars.

The Trustees must notify the Commission promptly of any changes to the Charity's entry on the Central Register of Charities.

## Notes

**Clause 26** - When the trustees acquire land for the charity, the ownership of the land cannot rest with the charity directly as it has no separate legal identity. The trustees will therefore need to ensure that title to the charity's land is held in the name of individuals ("holding trustees") or a company, in trust on behalf of the charity. Typically this can be some or all of the trustees, the Official Custodian for Charities (see our booklet "The Official Custodian for Charities' Land Holding Service" (CC13)) or a nominee.

**Clause 27** - These are the minimum requirements and trustees should consider if any other forms of insurance are needed.

## 26 Property.

- (1) The Trustees must ensure the title to:
  - (a) all land held by or in trust for the Charity that is not vested in the Official Custodian of Charities; and
  - (b) all investments held by or on behalf of the Charity,is vested either in a corporation entitled to act as custodian trustee or in not less than three individuals appointed by them as holding trustees.
- (2) The terms of the appointment of any holding trustees must provide that they may act only in accordance with lawful directions of the Trustees and that if they do so they will not be liable for the acts and defaults of the Trustees or of the members of the Charity.
- (3) The Trustees may remove the holding trustees at any time.

## 27 Repair and insurance.

The Trustees must keep in repair and insure to their full value against fire and other usual risks all the buildings of the Charity (except those buildings that are required to be kept in repair and insured by a tenant). They must also insure suitably in respect of public liability and employer's liability.

## 28 Notices.

- (1) Any notice required by this constitution to be given to or by any person must be:
  - (a) in writing; or
  - (b) given using electronic communications.
- (2) Notice may be given to a member either:
  - (a) personally; or
  - (b) by sending it by post in a prepaid envelope addressed to the member at his or her address; or
  - (c) by leaving it at the address of the member; or
  - (d) by giving it using electronic communications to the member's address.
- (3) A member who does not register an address with the Charity or who registers only a postal address that is not within the United Kingdom shall not be entitled to receive any notice from the Charity.
- (4) A member present in person at any meeting of the Charity shall be deemed to have received notice of the meeting and of the purposes for which it was called.

## Notes

- (5) (a) Proof that an envelope containing a notice was properly addressed, prepaid and posted shall be conclusive evidence that the notice was given.
- (b) Proof that a notice contained in an electronic communication was properly addressed and sent shall be conclusive evidence that the notice was given.
- (c) A notice shall be deemed to be given 48 hours after the envelope containing it was posted or, in the case of an electronic communication, 48 hours after it was sent.

**Clause 29** - Rules are effectively the internal procedures adopted by the trustees for the proper administration of the charity. They cannot be used to change any of the provisions in this constitution. Clause 6 of this constitution sets out the procedure for amending the provisions of this constitution.

## 29 Rules.

- (1) The Trustees may from time to time make rules or bye-laws for the conduct of their business.
- (2) The bye-laws may regulate the following matters but are not restricted to them:
  - (a) the admission of members of the Charity (including the admission of organisations to membership) and the rights and privileges of such members, and the entrance fees, subscriptions and other fees or payments to be made by members;
  - (b) the conduct of members of the Charity in relation to one another, and to the Charity's employees and volunteers;
  - (c) the setting aside of the whole or any part or parts of the Charity's premises at any particular time or times or for any particular purpose or purposes;
  - (d) the procedure at general meetings and meetings of the Trustees in so far as such procedure is not regulated by this constitution;
  - (e) the keeping and authenticating of records. (If regulations made under this clause permit records of the Charity to be kept in electronic form and require a Trustee to sign the record, the regulations must specify a method of recording the signature that enables it to be properly authenticated.)
  - (f) generally, all such matters as are commonly the subject matter of the rules of an unincorporated association.
- (3) The Charity in general meeting has the power to alter, add to or repeal the rules or bye-laws.
- (4) The Trustees must adopt such means as they think sufficient to bring the rules and bye-laws to the notice of members of the Charity.
- (5) The rules or bye-laws shall be binding on all members of the Charity. No rule or bye-law shall be inconsistent with, or shall affect or repeal anything contained in, this constitution.

**Sub-clause 29(2)(e)** - The Electronic Communications Act 2000 and the Electronic Signatures Regulations 2002 permit electronic signatures to be accepted as evidence, subject to certain conditions. This sub-clause summarises those conditions.

*[The page contains faint horizontal lines suggesting ghosting or extremely faded text.]*

## Standard Governing Documents

Some large national charities produce a standard governing document that can be used by organisations associated with that charity. These standard governing documents contain both agreed objects and administrative provisions that are specific to a particular type of organisation. A list of organisations for which a standard governing document has been agreed can be found below. Copies of these documents are not available from the Charity Commission.

<ul style="list-style-type: none"> <li>▪ Age Concern</li> <li>▪ Alpine Garden Society local groups</li> <li>▪ Archway Groups</li> <li>▪ Arts Council</li> <li>▪ Arts Festival Association</li> <li>▪ British trust for Conservation</li> <li>Volunteers</li> <li>▪ Building preservation Trusts</li> <li>▪ CARE (Pregnancy Crisis)</li> <li>▪ Child contact centres</li> <li>▪ Childminding Association</li> <li>▪ Children's Links</li> <li>▪ Choirs</li> <li>▪ Churches in fellowship with Assemblies of God</li> <li>▪ Citizen's Advice Bureaux</li> <li>▪ City Academies</li> <li>▪ Civic trust Local Amenity Societies</li> <li>▪ Clubs for young people</li> <li>▪ Community Associations / centres</li> <li>▪ Community Law Centres</li> <li>▪ Community transport schemes</li> <li>▪ Contact a family</li> <li>▪ Council for the protection of rural</li> <li>England</li> <li>▪ Councils for voluntary service</li> <li>▪ Crossroads Care Attendant Schemes</li> <li>▪ DIAL</li> <li>▪ Dyslexia Association</li> <li>▪ Elim Gospel Foursquare alliance social care companies</li> <li>▪ Foursquare Gospel Church</li> <li>▪ Gateways</li> <li>▪ Girl Guides</li> <li>▪ Habitat for Humanity</li> <li>▪ Halliwick Swimming Therapy Regional associations</li> <li>▪ Headway</li> <li>▪ Homestart</li> <li>▪ Hospital Broadcasting Associations</li> <li>▪ Inner Wheel Club Benevolent Funds</li> <li>▪ International society for Krishna Consciousness</li> <li>▪ Jehovah's Witness Congregation</li> <li>▪ Kids Club Network</li> <li>▪ Ladies' Circles</li> <li>▪ Lions Club Charity Trust Fund</li> <li>▪ Marriage Resource Groups</li> <li>▪ Masonic Lodge Benevolent Funds</li> <li>▪ MIND</li> </ul>	<ul style="list-style-type: none"> <li>▪ Mudiad Ysgolion Meithrin - Cylch Cyfansawdd (combined Parent and toddler groups)</li> <li>▪ Mudiad Ysgolion Meithrin - Cylch Meithrin (Playgroup)</li> <li>▪ Mudiad Ysgolion Meithrin - Cylch Tîs Ffi (Parent and toddler groups)</li> <li>▪ National Autistic Society</li> <li>▪ National Confederation of Parent teacher Association</li> <li>▪ National Operatic and Dramatic Societies</li> <li>▪ Neighbourhood Watch Schemes</li> <li>▪ NPFA: recreation Ground</li> <li>▪ PATA (Playgroup and toddler association)</li> <li>▪ PHAB Clubs</li> <li>▪ Playgroup Network</li> <li>▪ Pre-school extended school partnership</li> <li>▪ Pre-school learning alliance</li> <li>▪ RELATE</li> <li>▪ Riding for the disabled</li> <li>▪ Rotary Club trust Funds</li> <li>▪ Round table Charitable funds</li> <li>▪ Rural community Councils</li> <li>▪ Samaritans</li> <li>▪ School funds (Secondary Heads Association)</li> <li>▪ SCOPE (affiliated groups)</li> <li>▪ Scouts</li> <li>▪ Sea Rangers</li> <li>▪ Spiritual Assembly of Bahai's</li> <li>▪ Talking Newspaper Association</li> <li>▪ Third Age Trust</li> <li>▪ Time banks</li> <li>▪ Townswomen's Guilds</li> <li>▪ Toy Libraries</li> <li>▪ Tree wardens</li> <li>▪ Unitarian Meeting Churches</li> <li>▪ United Trust services</li> <li>▪ Victim support Schemes</li> <li>▪ Village Halls (ACRE)</li> <li>▪ Vineyard Christian Fellowship</li> <li>▪ Wales pre-school playgroup</li> <li>▪ Women's Aid Groups</li> <li>▪ YMCA</li> <li>▪ Young Farmer's Clubs</li> <li>▪ Youth for Christ Centre</li> </ul>
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2005016

# CHARITY COMMISSION ANNUAL RETURN 2005

101

## Part A.

Registered number

Main charity name

## A1. Financial year covered by this form

This should be completed for the financial year ending on or after  
1 January 2005.

Enter changes/new financial  
information below:

Financial year start

Financial year end

Next financial year end

dd / mm / yyyy  
dd / mm / yyyy  
dd / mm / 2006

## A2. Gross income and total expenditure

Extract the charity's **gross income and total expenditure** from the accounts prepared for the financial year shown above. Do not include the gross turnover/income of connected trading companies.

Gross income

pence **MUST** be rounded up/down  
to the nearest £

£ 0 0 p

Total expenditure

£ 0 0 p

## A3. Correspondent details

The charity correspondent is the person recorded on the Register of charities as the point of contact for the charity. Their name and address will be displayed on our website and will also be used by the Commission to contact the charity. **A charity correspondent may be a person (ie, a named individual); or an organisation (eg, a firm of solicitors acting as correspondent for the charity); or simply the charity itself (eg, "The National Aid Association").**

If any **current details** (shown right) are incorrect please provide correct details in full under **Changed details** overleaf.

If the correspondent is a person and the name details are incorrect or incomplete please enter all elements of the name.

If the correspondent has changed please enter full details of the new correspondent overleaf.

If any part of the address is incorrect, please enter the full address overleaf.

If the correspondent is a person please note that all of the following are now required to help maintain the accuracy of the Register of Charities:

- ▶ All of the correspondent's personal names (also known as first or given names)
- ▶ All of the correspondent's family names (also known as surnames)
- ▶ The correspondent's date of birth

You may also enter, as a suffix, honours the correspondent would like to appear after his or her name, eg BSc, OBE.

If the correspondent prefers to be known by some name other than that obtained by combining the title, personal, names, family names and suffixes, then you may also enter preferred name (eg, "Steve Henry" for Mr Steven Henry).

### Current details

Correspondent is:-

Title:-

Personal

names:-

Family

names:-

Suffixes:-

Preferred

name:-

Date of Birth:-

Organisation

name:-

Tel no

Fax no

Address:-

Manuscript changes to the above will not be accepted, please use the boxes overleaf.

Name of person Correspondent is A person ☒ An organisation ☒ (please only cross one)

Title	<input type="text"/>
Personal names	<input type="text"/>
Family names	<input type="text"/>
Suffixes	<input type="text"/>
Preferred names	<input type="text"/>
Date of birth	<input type="text"/> dd / <input type="text"/> mm / <input type="text"/> yy <input type="text"/> yy

Name of organisation (if correspondent is an organisation)

Organisation name	<input type="text"/>
-------------------	----------------------

Telephone and fax number details

Tel no	<input type="text"/>
Fax no	<input type="text"/>

Correspondent's address details

Address	<input type="text"/>
Post code	<input type="text"/>

## A4 Charity trustees

The charity trustees are the persons responsible under the charity's governing document for controlling the management and administration of the charity.

We have pre-printed the details of your charity's trustees according to our records. Please check that these details are correct. If amendments need to be made, please complete the changes under "Amended details" adjacent to the relevant trustee.

### 4.1 Corporate body as the trustee of the charity

This part will only be pre-printed if we know that the charity has a corporate body as its trustee, e.g. a Parish Council or NHS Trust. Please ensure the organisation name, address and telephone/fax details are correct. If they are incorrect please enter a new set of details under "Amended details". If this section is blank and your charity has a corporate body as trustee, please enter the organisation's details in full under "New corporate body as trustee of the charity".

<input type="checkbox"/>	No longer a trustee <input checked="" type="checkbox"/>		
Corp body	<input type="text"/>	Corp body	<input type="text"/>
Tel no	<input type="text"/>	Tel no	<input type="text"/>
Fax no	<input type="text"/>	Fax no	<input type="text"/>
Address 1	<input type="text"/>	Address 1	<input type="text"/>
Address 2	<input type="text"/>	Address 2	<input type="text"/>
Address 3	<input type="text"/>	Address 3	<input type="text"/>
Address 4	<input type="text"/>	Address 4	<input type="text"/>
Address 5	<input type="text"/>	Address 5	<input type="text"/>
Postcode	<input type="text"/>	Postcode	<input type="text"/>

Only complete this box if the charity has a corporate body as its trustee, e.g. a Parish Council or NHS Trust

Corp body		Address 3	
Tel no		Address 4	
Fax no		Address 5	
Address 1		Postcode	
Address 2			

## 4.2 Named individuals who are trustees of the charity

If the trustees are individuals, the details that we hold will be printed below. If any part of a name is incorrect or incomplete, please enter the correct name details in full (including the title, personal name, family name and date of birth).

If any part of the address is incorrect or incomplete, please enter the correct address and postcode in full.

If an individual listed is no longer acting as a trustee, please put a cross in the box "No longer a trustee" and we will remove them from our records. New trustees (or trustees that have been acting for some time but are not listed) should be entered in the spaces provided.

**Please ensure that we have a complete set of details for each trustee. Trustees without a complete set of details may not be recorded on our Register of Charities.**

Please note that all of the following are now required:

- ▶ The trustee's title or titles (eg Mr, Mrs, Reverend).
- ▶ All of the trustee's personal names (also known as first or given names).
- ▶ All of the trustee's family names (also known as surnames).
- ▶ The trustee's date of birth (this will be used for identification purposes only and will not be made available to the public).
- ▶ Suffixes (honours the trustee expects to appear after his or her name, eg OBE).

If the trustee prefers to be known by some name other than that obtained by combining the title, personal names, family names and suffixes, a preferred name may also be entered.

<div> <input type="checkbox"/> No longer a trustee                 </div> <div> <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity                 </div>		Amended details	
Title		Title	
Personal names		Personal names	
Family name		Family name	
Suffixes		Suffixes	
Preferred name		Preferred name	
Date of birth		Date of birth	
Tel no		Tel no	
Fax no		Fax no	
Address 1		Address 1	
Address 2		Address 2	
Address 3		Address 3	
Address 4		Address 4	
Address 5		Address 5	
Postcode		Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/> Amended details	
Title	
Personal names	
Family name	
Suffixes	
Preferred name	
Date of birth	
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/> Amended details	
Title	
Personal names	
Family name	
Suffixes	
Preferred name	
Date of birth	
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/> Amended details	
Title	
Personal names	
Family name	
Suffixes	
Preferred name	
Date of birth	
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/> Amended details	
Title	
Personal names	
Family name	
Suffixes	
Preferred name	
Date of birth	
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>		Amended details	
Title		Title	
Personal names		Personal names	
Family name		Family name	
Suffixes		Suffixes	
Preferred name		Preferred name	
Date of birth		Date of birth	
Tel no		Tel no	
Fax no		Fax no	
Address 1		Address 1	
Address 2		Address 2	
Address 3		Address 3	
Address 4		Address 4	
Address 5		Address 5	
Postcode		Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>		Amended details	
Title		Title	
Personal names		Personal names	
Family names		Family name	
Suffixes		Suffixes	
Preferred name		Preferred name	
Date of birth		Date of birth	
Tel no		Tel no	
Fax no		Fax no	
Address 1		Address 1	
Address 2		Address 2	
Address 3		Address 3	
Address 4		Address 4	
Address 5		Address 5	
Postcode		Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/> Amended details	
Title	
Personal names	
Family name	
Suffixes	
Preferred name	
Date of birth	
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/> Amended details	
Title	
Personal names	
Family name	
Suffixes	
Preferred name	
Date of birth	
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

	No longer a trustee <input type="checkbox"/>	Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>	Amended details
Title			
Personal names			
Family name			
Suffixes			
Preferred name			
Date of birth			
Tel no			
Fax no			
Address 1			
Address 2			
Address 3			
Address 4			
Address 5			
Postcode			

	No longer a trustee <input type="checkbox"/>	Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>	Amended details
Title			
Personal names			
Family name			
Suffixes			
Preferred name			
Date of birth			
Tel no			
Fax no			
Address 1			
Address 2			
Address 3			
Address 4			
Address 5			
Postcode			



## New individual who is a trustee of the charity

Please put a cross in this box if this person is the Chair of the charity



Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

## New individual who is a trustee of the charity

Please put a cross in this box if this person is the Chair of the charity



Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

## New individual who is a trustee of the charity

Please put a cross in this box if this person is the Chair of the charity



Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

## New individual who is a trustee of the charity

Please put a cross in this box if this person is the Chair of the charity



Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

**New individual who is a trustee of the charity**

Please put a cross in this box if this person is the Chair of the charity ☐

Title

Personal names

Family name

Suffixes

Preferred names

Date of birth

Tel no

Fax no

Address 1

Address 2

Address 3

Address 4

Address 5

Postcode

**New individual who is a trustee of the charity**

Please put a cross in this box if this person is the Chair of the charity ☐

Title

Personal names

Family name

Suffixes

Preferred names

Date of birth

Tel no

Fax no

Address 1

Address 2

Address 3

Address 4

Address 5

Postcode

**New individual who is a trustee of the charity**

Please put a cross in this box if this person is the Chair of the charity ☐

Title

Personal names

Family name

Suffixes

Preferred names

Date of birth

Tel no

Fax no

Address 1

Address 2

Address 3

Address 4

Address 5

Postcode

**New individual who is a trustee of the charity**

Please put a cross in this box if this person is the Chair of the charity ☐

Title

Personal names

Family name

Suffixes

Preferred names

Date of birth

Tel no

Fax no

Address 1

Address 2

Address 3

Address 4

Address 5

Postcode

If your charity has more new trustees than can be entered on this form, please call our Contact Centre on 0870 333 0123 to obtain additional forms.

## A5. Charity's email address

106

The email address that the charity wishes to be shown to the public.

Please enter the charity's new or amended email address below.


The email address that the charity wishes to be used for contact by the Commission

Please enter the charity's new or amended email address below.


The Charity no longer has an email address

☐

## A6. Charity's website details

Charity's website details

Please enter the charity's new or amended website address below.


The Charity no longer has a website address

☐

## A7. Working names

Some charities like to use a working name as well as their main name. If we have a working name on record for your charity it is listed below.

Delete any working names that are no longer used or shown incorrectly below by crossing the associated box, and enter any new working name using the boxes provided.

1

Delete

☐

2

Delete

☐

3

Delete

☐

Enter your new or amended working name below

## A8. Charity's primary bank account

107

Sort code  -  -

Account number

Account name

If the above information is incorrect (or blank), please enter a complete set of bank or building society details below. We only require the details of your primary account and these details will not be made available to the public.

Bank sort code  -  -

Bank / building society account number

Account name


## A9. Classification of charities

The Register of Charities classifies charities using three 'elements'. This makes it easier for potential donors, beneficiaries and others to find the charities they want.

We have shown your "Present Classification" below for you to check. If the information is wrong, please amend it by crossing the appropriate "remove" or "add" boxes next to each classification.

Every charity should select at least one category in each of the three elements to describe what they do.

### Element 1 - Topic (What does your charity set out to do?)

	Present classification	Remove	Add
101 General charitable purposes	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
102 Education/training	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
103 Medical/health/sickness	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
104 Disability	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
105 Relief of poverty	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
106 Overseas aid/famine relief	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
107 Accommodation/housing	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
108 Religious activities	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
109 Arts/culture	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
110 Sport/recreation	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
111 Animals	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Present classification	Remove	Add
112 Environment/conservation/heritage	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
113 Economic/community development/employment	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
114 Other or none of these	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Element 2 - Beneficiaries (Who does your charity help?)**

	Present classification	Remove	Add
201 Children/young people	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
202 Elderly/old people	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
203 People with disabilities	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
204 People of a particular ethnic or racial origin	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
205 Other charities/voluntary bodies	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
206 Other defined groups	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
207 The general public/mankind	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Element 3 - Method of operation (How does your charity operate?)**

	Present classification	Remove	Add
301 Makes grants to individuals (includes loans)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
302 Makes grants to organisations (include schools, charities etc.)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
303 Provides other finance (eg pensions /investment fund)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
304 Provides human resources (eg staff/volunteers)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
305 Provides buildings/facilities/open space	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
306 Provides services (eg care/counselling)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
307 Provides advocacy/advice/information	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
308 Sponsors or undertakes research	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
309 Acts as an umbrella or resource body	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
310 Other or none of these	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

**B1. Fund-raising** (charities with an annual income exceeding £1 million need not answer this question)

- a** Does the charity engage in fund-raising?  
If "No" go directly to B2
- b** State the **gross amount received from all fund-raising efforts** during the financial year
- c** State the **gross total expenditure in the financial year connected with fund-raising efforts**
- d** Does the charity make use of **professional fund-raisers** or **commercial participators**?  
If "no" go directly to B2
- e** If 'Yes', does the charity have a formal written agreement satisfying the requirements of Part II of the Charities Act 1992 with each of the **professional fund-raisers** or **commercial participators**?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
£	<input type="text"/>	<input type="text"/>	<input type="text"/>
£	<input type="text"/>	<input type="text"/>	<input type="text"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

**B2. Trustees - general**

- a** If your charity works with **vulnerable beneficiaries**, are new trustees checked with the Criminal Records Bureau?
- b** Do people other than the trustees vote at meetings of the trustees?
- c** Have all the trustee meetings in the last two years been quorate?

Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

**B3. Trustees - benefits**

For the purposes of B3 and B4 "charity trustees" includes any persons, companies, or other bodies connected with them.

- a** Expenses incurred by the charity trustees including travel, meals, accommodation and telephone costs. Do not include items which **charity trustees** purchase on behalf of the charity and for which they are reimbursed by the charity at the price they paid e.g. stationery and equipment supplies.

State the total amounts paid or payable (excluding expenses as detailed above) to the charity trustees during the financial year from the funds of the charity.

- b** Amounts paid or payable to the trustees for any professional services provided to the charity.
- c** Amounts paid or payable to the trustees for any other services provided to the charity. Include salaries, wages and honoraria, as well as payments for services other than professional services.
- d** Other amounts paid or payable to the trustees. Do not include the purchase of **trustee indemnity insurance**.
- e** If any payments were made under b,c, or d, do the **charity trustees** have specific authority (either in the governing document of the charity or from the Court or the Charity Commission) to make all these payments?

£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Yes	<input type="checkbox"/>	No	<input type="checkbox"/>						

**B4. Trustees - property**

Please see the note at the beginning of B3. For the purposes of B4, property should include freehold or leasehold land or buildings, vehicles and computers etc. If applicable, zero should be inserted.

- a** If the charity sold any property to any of the **charity trustees** without **authority** during the financial year, then please state the total value of the property sold.

£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
---	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------	----------------------

- b** If the charity purchased any property from any of the **charity trustees** without **authority** during the financial year, then please state the total value of the property purchased.
- c** If the charity occupies any land or buildings belonging to any of the **charity trustees**, then please state the total amount paid during the financial year in respect of that occupation. Include rent or licence fee, any premium or capital payment and all other payments made under the tenant's covenants in the lease or under the terms of the licence e.g. on repairs or improvements to the property.

£

£

## B5. Dealings with connected trading companies

- a** Does the charity have any **connected** trading companies?  
If 'No' go directly to B6
- b** Give the total outstanding balance of all loans made by the charity to the **connected** trading companies as at the end of the financial year given in A1 (from the accounts).
- i** Are all the loans (in B5b) secured?
- ii** Do the **connected** trading companies pay interest on all the loans (in B5b) at commercial rates?
- iii** Are all the loans (in B5b) repayable within a period specified in each of the loan agreements?

Yes ☒ No ☒

£

Yes ☒ No ☒

Yes ☒ No ☒

Yes ☒ No ☒

The amount of the loans for each connected trading company is the maximum it owed at any time during the financial year. The total amount is the sum of all these maximum amounts.

- c** Has any money originally loaned to a **connected** trading company not been repaid, but has instead during the financial year:
- i** been subscribed by the charity for the issue of new shares in that company (i.e. converted to share capital)? And/or
- ii** been written off?

Yes ☒ No ☒

Yes ☒ No ☒

If the charity's accounts provide for the partial or total non-repayment of a loan made by the charity, then treat the loan as "written off".

- d** State the total amounts due at the end of the financial year to the charity from the **connected** trading companies excluding loans.

£

This could include amounts owing to the charity for goods and services provided, or service charges, or as a result of charging expenses of the company to the charity.

- e** Please give the following details about all the charity's connected trading companies for the last complete financial year ending on or before the last day of the financial year given in A1.

- i** Overall total turnover
- ii** Overall total profit or loss on ordinary activities before taxation (losses should be shown by placing figures in brackets).

£

£

For present purposes, profit or loss on ordinary activities should be calculated before deducting any gifts made to the charity.

- iii** Total amounts transferred to the charity.

£

These should include amounts transferred by deed of covenant, gift aid, dividend or any similar means. Transfers by deed of covenant or gift aid should be treated as having been made by the company in the financial year in which they are treated for tax purposes as being made.

## B6. Misappropriation of assets

- a** During the financial year, have any of the charity's assets been stolen or otherwise misappropriated by a person who was, at the time, associated with the charity (whether the assets or their value have been recovered or not)?

Yes ☒ No ☒

"Associated with" includes charity trustees, custodian trustees, holding trustees, officers, agents or employees and clients or beneficiaries of the charity or any persons, companies or other bodies connected with them.

- b** Please state the amount of money or value of the assets which have been stolen or otherwise misappropriated.

£

Those who give answers that they know or suspect are untrue or misleading may be committing an offence.

I certify that the information given in this form is correct to the best of my knowledge and has been brought to the attention of all the charity trustees.

Signed, by one of the charity trustees on behalf of all charity trustees

Date

Title (Please use BLOCK CAPITALS)

Full Name (Please use BLOCK CAPITALS)

Daytime telephone number

You may find it useful to keep a copy of your completed form.

## Contact details

**Address** The Charity Commission for England and Wales  
PO Box 1155  
LIVERPOOL  
L69 3XR

**Contact Centre** 0870-333-0123

**Internet Address:** [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk)

## Data protection

The Charity Commission is a Data Controller as defined by the Data Protection Act 1998 and holds personal data for the purposes of maintaining the Register of Charities and certain other statutory functions as assigned by Parliament. The Charity Commission complies with the Data Protection principles set out in the Data Protection Act 1998 in relation to personal data which is supplied to us via the Annual Return, our website and through the performance of its statutory role as a regulator of charities, to the extent that the Act requires us to do so. These principles restrict the powers of a data controller to disclose third parties' personal data which it is processing.





1st letter to correspondent

資料 14

2nd Floor, 20 Kings Parade  
Queens Dock  
Liverpool L3 4DQ

General Enquiries 0870 333 0123 (Voice)  
0870 333 0125 (Minicom)

Website <http://www.charity-commission.gov.uk>

Direct Line 0151 703 1690  
Fax 0151 703 1558

Our Ref

Date 29 March 2005

Dear

**Financial Year End:**

**IMPORTANT - OVERDUE DOCUMENTS**

E

It appears from the Commission's records that the following documents, which should have been lodged within 10 months of the charity's financial year end, have still not been received.

- Charity's audited or independently examined Accounts for the period
- Trustees' Annual Report
- Annual Return Form Trustee Update Form ( this form is not required by law but you must advise the Commission of any changes to the charity's registered particulars)

If the charity's financial year end has changed, or the required documents have in fact already been sent to the Commission, or if you do not expect to be able to send the documents within 14 days from the date of this letter, it is important that you let me know immediately.

As matters stand, the Trustees are in default under section 49 of the Charities Act 1993. This is a serious matter and a copy of this letter is being forwarded to a selection of Trustees to bring it to their attention. If the overdue documents are not received within 14 days from the date of this letter, I shall have no choice but to consider formal inquiry action under section 8 of the Act.

Naturally, I should prefer not to have to take such a course of action, and therefore urge you to give this matter your immediate and full attention so that it can be resolved before the above deadline.

I enclose a blank Annual Return Form and a blank Trustee Update Form case the originals have been misplaced.

Yours sincerely

Mrs Susan Polak

**Note**

**When submitting the overdue documents, it is important that you send them for my attention & quote the reference shown above.**

Letter to trustees

2nd Floor, 20 Kings Parade  
Queens Dock  
Liverpool L3 4DQ

General Enquiries 0870 333 0123 (Voice)  
0870 333 0125 (Minicom)

Website <http://www.charity-commission.gov.uk>

Direct Line 0151 703 1690  
Fax 0151 703 1558  
E-mail

Your Ref  
Our Ref

Date 16 June 2004

Dear

**IMPORTANT – OVERDUE DOCUMENTS**

I attach a copy of a letter sent to your charity's recorded address so that you, as one of the Trustees listed in the Commission's records, are aware of the continued failure to comply with legal requirements.

Please ensure that this correspondence is brought to the full attention of all the charity's Trustees, and that the outstanding documents are submitted without further delay.

Yours sincerely

Mrs Susan Polak

Enclosure: Copy letter

E2

2nd Floor, 20 Kings Parade  
Queens Dock  
Liverpool L3 4DQ

General Enquiries 0870 333 0123 (Voice)  
0870 333 0125 (Minicom)

Website <http://www.charity-commission.gov.uk>

Direct Line 0151 703 1690  
Fax 0151 703 1558

Your Ref

Our Ref

Date 29 March 2005

Dear

**Financial Year End:  
Overdue:**

E3  
I am writing to acknowledge your letter of enclosing the above overdue documents. They will be checked by the Commission's monitoring team, and any queries arising will be dealt with as a separate matter.

I trust that arrangements have now been made to ensure that the charity's Annual Accounts, Return and Report will in future be produced and lodged in good time to meet the legal deadline for submission to the Commission – within 10 months from the date of the charity's financial year end. If any of the documents are late in future, the Commission may begin formal inquiry action without warning, or may report the matter to the police for consideration of prosecution.

Please ensure that this letter is suitably recorded in the charity's records, and that it is also brought to the attention of all the Trustees.

Thank you for your co-operation.

Yours sincerely

Susan Polak (Mrs)

2nd letter

2nd Floor, 20 Kings Parade  
Queens Dock  
Liverpool L3 4DQ

General Enquiries 0870 333 0123 (Voice)  
0870 333 0125 (Minicom)

Website <http://www.charity-commission.gov.uk>

Direct Line 0151 703 1504  
Fax 0151 703 1558

Your Ref  
Our Ref

Dear

E4

**Inquiry under s8 of Charities Act 1993**

**Financial Year-End: 31/03/02**

**OVERDUE: ANNUAL RETURN AR2002 ANNUAL REPORT AND ACCOUNTS FOR THE  
FINANCIAL PERIOD ENDING 31/03/02**

It appears from the Commission's records that the above documents have still not been submitted, despite previous reminders.

Trustees of every charity that has either gross income or total expenditure of more than £10,000 a year are required by law to submit the Accounts, an Annual Return and an Annual Report to the Commission within 10 months of the end of the charity's financial year. Trustees are also required to inform the Commission of any changes to their charity's registered particulars, and the Trustee Update Form is the recommended way of doing this.

Charity accounts, reports and returns are vital elements in maintaining public confidence in charities. The Commission is committed to ensuring that charities comply with their statutory obligation to submit the relevant documents, and believes that larger charities, such as yours, should be setting a good example.

**Your charity's documents are now overdue, and I am writing to let you know that a formal inquiry has now been opened, under section 8 of the Charities Act 1993.**

The inquiry will focus on the reasons for the delay in submitting documents, and will also consider whether there are wider management or governance issues that merit a more in-depth investigation into the charity. Reports on the outcome of inquiries are normally published on the Commission's website, and may be accessed by members of the public.

This letter is being sent to the charity's recorded correspondence address. Copies (without enclosures) are also being sent to a selection of the Trustees of the charity to ensure that they are aware of the serious nature of this matter and to inform them of the action the Commission is taking. It is the responsibility of those Trustees to ensure that all the Trustees are made aware of and attend to this letter and its enclosures.

Trustees should also be aware that:

- If the overdue documents are not submitted, the matter may be referred for consideration of prosecution. There have been previous successful prosecutions of trustees for failing to comply with the requirement to submit accounts and returns.
- under section 43 of the Charities Act 1993, the Commission is empowered to appoint an auditor to examine the charity's accounts for any outstanding years. The auditor's costs would have to be met personally by the Trustees.

If any other matters come to light during the course of the inquiry, its scope may have to be widened. I enclose leaflets CC47 and CC47(a), and recommend that all the Trustees read them carefully. Further copies are available on the Commission's website.

**I also enclose a questionnaire for completion and return, together with the overdue documents.** They should be sent to myself at the above address, quoting the reference shown, to arrive please within 14 days from the date of this letter. A fully completed questionnaire, received on time together with all outstanding documents, may enable the inquiry to be concluded without further action.

**If there is any reason why you cannot submit the documents and questionnaire within the time stated it is essential that you inform me immediately.**

Yours sincerely

Enclosures (all to correspondence address)

Susan Polak (Mrs)  
**Enforcement Manager**





## トリガー一覧表

番号 (コード)	項目 (Trigger Issue)	トリガー (Trigger)	行動
A1	内部留保	支出<収入×67%(A4)	基金積立て方針チェック→答認/否認 アドバイスの提供
	過剰支出	収入<支出×67%(A5)	財務諸表調査→リスクがある場合アドバイス・経営指導
B1	B1c: 募金支出	募金支出 £ 20000 以上	財務諸表調査
		募金収入の 60% 超もしくは募金収入無し	募金イベントの調査
	B1d: プロの募金者の使用	正式な契約がない	募金額 > £ 1000000 → 調査 (契約の有無にかかわらず) 契約無し → 規制部門に
B3	B3a: 受託者への支出 (年金等)	£ 10000 以上 ← 年収支 £ 10000 ~ 100000 (E1)	書類チェック
		£ 25000 以上 ← 年収支 £ 100000 ~ 499999 (E2)	年次報告書のチェック
		£ 50000 以上 ← 年収支 £ 500000 以上 (E3)	チャリテイの規模チェック
	B3b: 受託者への報酬 (専門能力提供への報酬)	£ 25000 以上 (E4)	定款の調査等 → 規制部門へ
		£ 2500 以上 £ 25000 未満 (E13)	支払いの正当性無し → 委員会の調査 → 規制部門へ
	B3c: 受託者への報酬 (上記以外)	£ 25000 以上 (E5)	定款の調査等 → 規制部門へ
		£ 2500 以上 £ 25000 未満 (E14)	支払いの正当性無し → 委員会の調査 → 規制部門へ
B4	B3d: 受託者への支払い (過去/未来)	£ 25000 以上 (E7)	定款の調査等 → 規制部門へ
		£ 2500 以上 £ 25000 未満 (E15)	支払いの正当性無し → 委員会の調査 → 規制部門へ
	B3g: 受託者からチャリテイへの支払	その事実 (E10)	支払いの正当性チェック、額のチェック 収益事業との関連性チェック (委員会の許可があれば対象からははずす)
			関連情報のチェック
	B4a: 受託者によるチャリテイ資産の購入	その事実 (E17)	(委員会の許可があれば対象からははずす)
	B4b: 受託者/関係者の所有からの不動産取得	£ 5000 以上で取得がなされた場合 (G2)	関連情報のチェック (使用状況)

	B4c: 受託者／関係者の所有する不動産の使用	コストが£5000以上(G3)	関連情報のチェック (使用状況)
	B4d: 受託者により利用されるチャリティのサービス	その事実(E11)	サービス内容のチェック。特に受益者以上のサービスを受けている場合→規制部門へ
B5	チャリティが格安で不動産を使用している	その事実(F1)	内容のチェック (チャリティ目的外的使用→規制部門へ)
B6: 収益事業	B6b: チャリティ団体への多額の貸付	£15000以上(H8) (無保証、低利率、返済猶予など)	詳細情報収集 (目的、担保、利率) →チャリティ目的外→規制部門へ
	B6c: 1年以内に返済された収益会社への貸付	£50000以上(H9)	一回限りか否か 貸付にそもそも制限があったか否か
	B6d: 免除/株式転換された貸付	転換(H2) 免除(H3)	背景・額の調査→場合によって規制部門へ
	B6e: チャリティへの支出(貸付以外)	£15000以上(H4)	支出要因、発生形態と理由→場合によって規制部門へ
	B6f: 収益事業赤字のケース		
	B6ii: 収益事業赤字	収益事業赤字	黒字化への方策、事業廃止等の検討 健全化せず→規制部門へ
	B6iii: 売上の3%以下の利益	売上£15000以上だが、チャリティがその3%以下の利益しか得ていない	詳細の検討 近年ずっと低利益傾向→規制部門へ
B7	資産の横領	資産の盗用・横領	情報収集→捜査へ
B8	年金	年金を職員の最終給与に基づいて設定	財務規制チームが調査



# SORP（会計実務勧告書）準拠性チェックシート

資料 16

	問題となるSORP不準拠のケース
1	受託者による年次報告書がない（会社形態を除く）
2	取締役による（年次）報告書がない（会社形態）
3	受託者による年次報告書の内容に不備（会社形態を除く）
4	取締役による（年次）報告書の内容に不備（会社形態）
5	受託者全員のリストが年次報告書にない（会社形態を除く）
6	取締役全員のリストが（年次）報告書にない（会社形態）
7	リスク管理に関する条項がない
8	基金積立て方針がない
9	投資方針に関する条項がない
10	助成金拠出に関する方針がない
11	独立検査もしくは監査が行われていない（必要な場合）
12	監査報告書、もしくは監査免除に関する報告書がない（会社形態）
13	独立検査が行われたが不十分な場合
14	監査報告書が添付されているが、その内容に不備がある場合
15	独立検査報告書が添付されているが、適用対象ではない場合（会社形態の場合など）
16	独立検査報告書の署名が会社名でなされている場合（←個人名でなさなくてはならない）
17	財源の総和表示
18	財務活動計算書が無い
19	財務活動計算書の内容に不備
20	財務活動計算書の項目に誤りがある
21	貸借対照表がない
22	貸借対照表の内容に不備
23	財務諸表の注記がない
24	財務諸表の注記の内容に不備
25	キャッシュフロー計算書がない（作成しなければならないチャリティのみ）
26	財務活動計算書における支出項目に誤りがある（年収支¥250000以上のみ）
27	過年度の比較すべき財務諸表がない（発生主義の場合）
28	総額表示をしてはならない項目を総額表示している場合
29	財源（基金）に関する注記
30	欠損がある財源（基金）
31	現金収支ベースの財務諸表における不備（現金主義会計の場合）
32	資産負債計算書がない（現金主義会計の場合）
33	強制適用対象にもかかわらず発生主義会計を実施していない場合
34	現金主義会計が適用できるにもかかわらず、発生主義会計を行っている場合
35	発生主義会計適用における不備（会社形態ではないチャリティ）
36	発生主義会計適用における不備（年収支¥100000以上もしくは会社形態）
37	財務活動計算書が中心的な財務諸表となっていない場合



3<sup>rd</sup> and 4<sup>th</sup> Floors  
12 Princes Dock  
Princes Parade  
Liverpool L3 1DE

Direct Line: 0151 703 1711  
Fax: 0151 703 1558  
General Enquiries: 0870 3330123 (Voice)  
0870 3330125 (Minicom)

Website: [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk)

Email: [mlevitt@charitycommission.gsl.gov.uk](mailto:mlevitt@charitycommission.gsl.gov.uk)

Your Ref:

Our Ref:

Date: 15 February 2006

Dear xxxx,

### **Review Visit**

You may already be aware that the Commission has developed a programme of review visits to charities, focusing on charities whose income is between £250,000 and £10m<sup>1</sup>. We are currently organising the visits programme for 2005-2006 and you have been selected for a visit this year. We very much hope that you will be able to participate and I would be grateful if you could ensure that this letter is brought to the attention of all the trustees.

We are now arranging visits for July, and I would be grateful if you could contact me at your earliest convenience to arrange a mutually convenient date. A review visit usually consists of a meeting between two Commission representatives and a representative number of the trustees and key senior staff from the charity. The visit will normally last no longer than three hours and usually takes place at the charity's main premises.

In summary, the review visit process is as follows:

- initial office-based **research**, including an examination of documents such as the governing document, accounts, trustee's minutes, and planning documents, which we will request from you;
- the **review visit** meeting, which usually takes place at the charity's premises;
- a **report** of our findings - you will have the opportunity to comment on the draft report;
- a year after the final report, a **review** of progress against any recommendations or requirements in the report.

As with all review visits, our aims will be:

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<sup>1</sup> There is a parallel programme for charities whose income is above £10m.

- to examine key aspects of the charity including its work, governance, finance and accounts;
- to understand any issues in context, and provide appropriate and pragmatic advice on legal requirements and good practice;
- to demonstrate that the Commission is a proactive regulator, giving reassurance to the sector and the public;
- to engage in dialogue with the charity, in order to identify and highlight good practice and also wider issues that it faces.

The review will be linked to the principles in our newly updated publication *CC60 - The Hallmarks of an Effective Charity* (copy enclosed). Our report will highlight evidence that the charity exhibits the hallmarks (good practice), recommendations for the development of good practice and areas where there are legal requirements to be met.

I would be grateful if you would contact us by 16<sup>th</sup> May 2005 indicating your preferred dates.

I also enclose a list indicating the information that we will need from the charity and a copy of our leaflet *CC8 – Internal Financial Controls for Charities*, which I hope you will find helpful in preparing for the visit. In order to help us prepare properly, I would be grateful if you would send me:

- a completed copy of the information list, with copies of the documents referred to<sup>2</sup>; and
- a copy of the completed CC8 Internal Financial Controls Checklist;

at least three months before the date of the visit.

There is more information about the Review Visits programme on our website [www.charitycommission.gov.uk/enhancingcharities/reviewhome.asp](http://www.charitycommission.gov.uk/enhancingcharities/reviewhome.asp). (We can send this information to you if you do not have Internet access.) If you have any queries or wish to discuss any aspect of the Review Visit programme, please do not hesitate to contact me on the above direct line number.

Yours sincerely,

*Encls.*

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<sup>2</sup> These documents will not be retained by the Commission once the process is completed.

### **Document/Information List**

Please send the following documents/information to the Commission, if available, at least three months before the date of the visit:

1. The charity's current governing document, along with any bye-laws, rules or regulations. ☐
2. Accounts and annual report for the last two years (if available). ☐
3. An organisation chart for the charity. ☐
4. Details of any induction process for new trustees. ☐
5. Any role descriptions or terms of reference for trustees/honorary officers. ☐
6. Details of any sub-committees.  
(and confirmation of whether or not Terms of Reference are in place) ☐
7. Minutes of the last four trustee meetings. ☐
8. Minutes of the last two Annual General Meetings. ☐
9. A list of the charity's key policies. ☐
10. Key planning documents, e.g. business or strategic plan. ☐
11. Details of any quality management system used. ☐
12. Any report issued by any other regulator in the last two years,  
(eg. National Care Standards Commission, OFSTED.) ☐
13. Any auditor's management letters issued to the charity in the last two years. ☐
14. Completed CC8 Checklist. ☐
15. Any other documents that would increase our understanding of the charity, its  
background or activities, such as publicity material. ☐

Details of any associated companies or charities



## Inactive Charities Monthly Report

January 2006

Inactive Charities breakdown as at end December 2005:

Inactive charities @ end December 2005	4934
Total chies.brought to account in month (December)	18
Chies removed or brought to account	88
Total chies. removed in month	20
New inactive cases this month	200
Inactive charities @ end January 2006	5008

Breakdown of Inactive Charities 2005

7- 6.5 yrs	2095
6.5 - 6yrs	174
6 - 5.5yrs	430
5 - 5yrs	575
5 - 4.5 yrs	837
4.5 - 4 yrs	897
	5008

Work Done/Month	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	YTD
Inactive chies reported in month >4 years	5216	5177	5163	5103	5062	5030	4966	4942	4934	5008			xxxx
Inactive Charity cases opened in month	123	92	43	36	41	83	83	61	26	67			501
Inactive Charity cases now active in month	48	41	35	30	34	33	36	20	20	18			257
Inactive Charities moved in month	38	34	33	15	19	18	25	40	17	20			182
Inactive charities re-registered	0	0	4	1	0	0	0	0	1	3			5
Inactive Charities referred to RE/ID in month	10	8	10	17	16	19	15	8	8	10			95
Total Inactive income brought to account	903442	545075	571885	875962	625142	1563542	990882	302855	209001	557134			6075930
Total Inactive assets brought to account	491469	268609	2203295	536420	605388	1053499	949269	45931	231258	100881			6107949





2005012

# CHARITY COMMISSION

## ANNUAL INFORMATION UPDATE 2005

101

### Part A.

Registered number

Main charity name

### A1. Financial year covered by this form

This should be completed for the financial year ending on or after 1 January 2005.

Enter changes/new financial information below:

Financial year start

Financial year end

Next financial year end

dd/mm/yyyy

dd/mm/yyyy

dd/mm/2006

### A2. Gross income and total expenditure

Extract the charity's **gross income and total expenditure** from the accounts prepared for the financial year shown above. Do not include the gross turnover/income of connected trading companies.

Gross income

pence **MUST** be rounded up/down to the nearest £

£ 00 p

Total expenditure

£ 00 p

### A3. Correspondent details

The charity correspondent is the person recorded on the Register of charities as the point of contact for the charity. Their name and address will be displayed on our website and will also be used by the Commission to contact the charity. **A charity correspondent may be a person (ie, a named individual); or an organisation (eg, a firm of solicitors acting as correspondent for the charity); or simply the charity itself (eg, "The National Aid Association").**

If any **current details** (shown right) are incorrect please provide correct details in full under **Changed details** overleaf.

If the correspondent is a person and the name details are incorrect or incomplete please enter all elements of the name.

If the correspondent has changed please enter full details of the new correspondent overleaf.

If any part of the address is incorrect, please enter the full address overleaf.

If the correspondent is a person please note that all of the following are now required to help maintain the accuracy of the Register of Charities:

- ▶ All of the correspondent's personal names (also known as first or given names)
- ▶ All of the correspondent's family names (also known as surnames)
- ▶ The correspondent's date of birth

You may also enter, as a suffix, honours the correspondent would like to appear after his or her name, eg BSc, OBE.

If the correspondent prefers to be known by some name other than that obtained by combining the title, personal, names, family names and suffixes, then you may also enter preferred name (eg, "Steve Henry" for Mr Steven Henry).

#### Current details

Correspondent is:-

Title:-

Personal

names:-

Family

names:-

Suffixes:-

Preferred

name:-

Date of Birth:-

Organisation

name:-

Tel no

Fax no

Address:-

Manuscript changes to the above will not be accepted, please use the boxes overleaf.

Name of person Correspondent is A person ☒ An organisation ☒ (please only cross one)

Title	<input type="text"/>
Personal names	<input type="text"/>
Family names	<input type="text"/>
Suffixes	<input type="text"/>
Preferred names	<input type="text"/>
Date of birth	<input type="text"/> dd <input type="text"/> mm <input type="text"/> yy <input type="text"/> yy

Name of organisation (if correspondent is an organisation)

Organisation name	<input type="text"/>
-------------------	----------------------

Telephone and fax number details

Tel no	<input type="text"/>
Fax no	<input type="text"/>

Correspondent's address details

Address	<input type="text"/>
Post code	<input type="text"/>

## A4 Charity trustees

The charity trustees are the persons responsible under the charity's governing document for controlling the management and administration of the charity.

We have pre-printed the details of your charity's trustees according to our records. Please check that these details are correct. If amendments need to be made, please complete the changes under "Amended details" adjacent to the relevant trustee.

### 4.1 Corporate body as the trustee of the charity

This part will only be pre-printed if we know that the charity has a corporate body as its trustee, e.g. a Parish Council or NHS Trust. Please ensure the organisation name, address and telephone/fax details are correct. If they are incorrect please enter a new set of details under "Amended details". If this section is blank and your charity has a corporate body as trustee, please enter the organisation's details in full under "New corporate body as trustee of the charity".

<input type="checkbox"/>	No longer a trustee <input checked="" type="checkbox"/>	Amended details	
Corp body	<input type="text"/>	Corp body	<input type="text"/>
Tel no	<input type="text"/>	Tel no	<input type="text"/>
Fax no	<input type="text"/>	Fax no	<input type="text"/>
Address 1	<input type="text"/>	Address 1	<input type="text"/>
Address 2	<input type="text"/>	Address 2	<input type="text"/>
Address 3	<input type="text"/>	Address 3	<input type="text"/>
Address 4	<input type="text"/>	Address 4	<input type="text"/>
Address 5	<input type="text"/>	Address 5	<input type="text"/>
Postcode	<input type="text"/>	Postcode	<input type="text"/>

Only complete this box if the charity has a corporate body as its trustee, e.g. a Parish Council or NHS Trust

Corp body		Address 3	
Tel no		Address 4	
Fax no		Address 5	
Address 1		Postcode	
Address 2			

## 4.2 Named individuals who are trustees of the charity

If the trustees are individuals, the details that we hold will be printed below. If any part of a name is incorrect or incomplete, please enter the correct name details in full (including the title, personal name, family name and date of birth).

If any part of the address is incorrect or incomplete, please enter the correct address and postcode in full.

If an individual listed is no longer acting as a trustee, please put a cross in the box "No longer a trustee" and we will remove them from our records. New trustees (or trustees that have been acting for some time but are not listed) should be entered in the spaces provided.

**Please ensure that we have a complete set of details for each trustee. Trustees without a complete set of details may not be recorded on our Register of Charities.**

Please note that all of the following are now required:

- ♦ The trustee's title or titles (eg Mr, Mrs, Reverend).
- ♦ All of the trustee's personal names (also known as first or given names).
- ♦ All of the trustee's family names (also known as surnames).
- ♦ The trustee's date of birth (this will be used for identification purposes only and will not be made available to the public).
- ♦ Suffixes (honours the trustee expects to appear after his or her name, eg OBE).

If the trustee prefers to be known by some name other than that obtained by combining the title, personal names, family names and suffixes, a preferred name may also be entered.

<div> <div>No longer a trustee <input type="checkbox"/></div> <div> <div><input type="checkbox"/></div> <div>Please put a cross in this box if this person is the Chair of the charity</div> </div> </div>		Amended details	
Title		Title	
Personal names		Personal names	
Family name		Family name	
Suffixes		Suffixes	
Preferred name		Preferred name	
Date of birth		Date of birth	
Tel no		Tel no	
Fax no		Fax no	
Address 1		Address 1	
Address 2		Address 2	
Address 3		Address 3	
Address 4		Address 4	
Address 5		Address 5	
Postcode		Postcode	

	No longer a trustee <input type="checkbox"/>	Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>	Amended details
Title			
Personal names			
Family name			
Suffixes			
Preferred name			
Date of birth			
Tel no			
Fax no			
Address 1			
Address 2			
Address 3			
Address 4			
Address 5			
Postcode			

	No longer a trustee <input type="checkbox"/>	Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>	Amended details
Title			
Personal names			
Family name			
Suffixes			
Preferred name			
Date of birth			
Tel no			
Fax no			
Address 1			
Address 2			
Address 3			
Address 4			
Address 5			
Postcode			

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>		Amended details	
Title		Title	
Personal names		Personal names	
Family name		Family name	
Suffixes		Suffixes	
Preferred name		Preferred name	
Date of birth		Date of birth	
Tel no		Tel no	
Fax no		Fax no	
Address 1		Address 1	
Address 2		Address 2	
Address 3		Address 3	
Address 4		Address 4	
Address 5		Address 5	
Postcode		Postcode	

<input type="checkbox"/> No longer a trustee <input type="checkbox"/> Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>		Amended details	
Title		Title	
Personal names		Personal names	
Family name		Family name	
Suffixes		Suffixes	
Preferred name		Preferred name	
Date of birth		Date of birth	
Tel no		Tel no	
Fax no		Fax no	
Address 1		Address 1	
Address 2		Address 2	
Address 3		Address 3	
Address 4		Address 4	
Address 5		Address 5	
Postcode		Postcode	

	No longer a trustee <input type="checkbox"/>	Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>	Amended details
Title			
Personal names			
Family name			
Suffixes			
Preferred name			
Date of birth			
Tel no			
Fax no			
Address 1			
Address 2			
Address 3			
Address 4			
Address 5			
Postcode			

	No longer a trustee <input type="checkbox"/>	Please put a cross in this box if this person is the Chair of the charity <input type="checkbox"/>	Amended details
Title			
Personal names			
Family name			
Suffixes			
Preferred name			
Date of birth			
Tel no			
Fax no			
Address 1			
Address 2			
Address 3			
Address 4			
Address 5			
Postcode			

## New individual who is a trustee of the charity

Please put a cross in this box if this person is the Chair of the charity



Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

## New individual who is a trustee of the charity

Please put a cross in this box if this person is the Chair of the charity



Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

## New individual who is a trustee of the charity

Please put a cross in this box if this person is the Chair of the charity



Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

## New individual who is a trustee of the charity

Please put a cross in this box if this person is the Chair of the charity



Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

**New individual who is a trustee of the charity**

Please put a cross in this box if this person is the Chair of the charity ☐

Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

**New individual who is a trustee of the charity**

Please put a cross in this box if this person is the Chair of the charity ☐

Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

**New individual who is a trustee of the charity**

Please put a cross in this box if this person is the Chair of the charity ☐

Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

**New individual who is a trustee of the charity**

Please put a cross in this box if this person is the Chair of the charity ☐

Title	
Personal names	enter full name
Family name	
Suffixes	
Preferred names	
Date of birth	ensure you complete
Tel no	
Fax no	
Address 1	
Address 2	
Address 3	
Address 4	
Address 5	
Postcode	

If your charity has more new trustees than can be entered on this form, please call our Contact Centre on 0870 333 0123 to obtain additional forms.



## 106

\_\_\_\_\_

\_\_\_\_\_

The Charity no longer has an email address

**The Charity no longer has an email address**

### Charity's website details

\_\_\_\_\_

The Charity no longer has a website address

**The Charity no longer has a website address**

## 1

[illegible]

Delete



2

[illegible]

Delete



3

10.1111/j.1365-2745.2011.01852.x

Delete



## A8. Charity's primary bank account

107

Sort code  -  -

Account number

Account name

If the above information is incorrect (or blank), please enter a complete set of bank or building society details below. We only require the details of your primary account and these details will not be made available to the public.

Bank sort code  -  -

Bank / building society account number

Account name


## A9. Classification of charities

The Register of Charities classifies charities using three 'elements'. This makes it easier for potential donors, beneficiaries and others to find the charities they want.

We have shown your "Present Classification" below for you to check. If the information is wrong, please amend it by crossing the appropriate "remove" or "add" boxes next to each classification.

Every charity should select at least one category in each of the three elements to describe what they do.

### Element 1 - Topic (What does your charity set out to do?)

	Present classification	Remove	Add
101 General charitable purposes	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
102 Education/training	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
103 Medical/health/sickness	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
104 Disability	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
105 Relief of poverty	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
106 Overseas aid/famine relief	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
107 Accommodation/housing	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
108 Religious activities	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
109 Arts/culture	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
110 Sport/recreation	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
111 Animals	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Present classification	Remove	Add
112 Environment/conservation/heritage	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
113 Economic/community development/employment	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
114 Other or none of these	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Element 2 - Beneficiaries (Who does your charity help?)**

	Present classification	Remove	Add
201 Children/young people	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
202 Elderly/old people	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
203 People with disabilities	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
204 People of a particular ethnic or racial origin	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
205 Other charities/voluntary bodies	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
206 Other defined groups	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
207 The general public/mankind	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Element 3 - Method of operation (How does your charity operate?)**

	Present classification	Remove	Add
301 Makes grants to individuals (includes loans)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
302 Makes grants to organisations (include schools, charities etc.)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
303 Provides other finance (eg pensions /investment fund)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
304 Provides human resources (eg staff/volunteers)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
305 Provides buildings/facilities/open space	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
306 Provides services (eg care/counselling)	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
307 Provides advocacy/advice/information	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
308 Sponsors or undertakes research	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
309 Acts as an umbrella or resource body	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>
310 Other or none of these	<input type="text"/>	<input type="checkbox"/>	<input type="checkbox"/>

Those who give answers that they know or suspect are untrue or misleading may be committing an offence.

I certify that the information given in this form is correct to the best of my knowledge and **has been brought to the attention of all the charity trustees.**

Signed, by one of the **charity trustees** on behalf of all **charity trustees**

Date

Title (Please use BLOCK CAPITALS)

Full Name (Please use BLOCK CAPITALS)

Daytime telephone number

You may find it useful to keep a copy of your completed form.

### Contact details

**Address** The Charity Commission for England and Wales  
PO Box 1155  
LIVERPOOL  
L69 3XR

**Contact Centre** 0870-333-0123

**Internet Address:** [www.charitycommission.gov.uk](http://www.charitycommission.gov.uk)

### Data protection

The Charity Commission is a Data Controller as defined by the Data Protection Act 1998 and holds personal data for the purposes of maintaining the Register of Charities and certain other statutory functions as assigned by Parliament. The Charity Commission complies with the Data Protection principles set out in the Data Protection Act 1998 in relation to personal data which is supplied to us via the Annual Return, our website and through the performance of its statutory role as a regulator of charities, to the extent that the Act requires us to do so. These principles restrict the powers of a data controller to disclose third parties' personal data which it is processing.



## Extract from the Central Register of Charities maintained by the Charity Commission for England and Wales

Main Charity 299955

### THE DAIWA ANGLO-JAPANESE FOUNDATION

Click link for  
more details

**Charity**  
**Correspondent** PROF MARIE CONTE-HELM  
DAIWA ANGLO JAPANESE FOUNDATION  
13-14 CORNWALL TERRACE  
LONDON  
NW1 4QP

**Telephone** 0207 486 4348

**Fax** 0207 486 2941

**Email Address** [sue.cannings@dajf.org.uk](mailto:sue.cannings@dajf.org.uk)

**Website**  
**Address** [www.dajf.org.uk](http://www.dajf.org.uk)

**Governing**  
**Document** TRUST DEED DATED 16TH AUGUST 1988

**Objects** (A) THE ADVANCEMENT OF THE EDUCATION OF THE CITIZENS OF THE UNITED KINGDOM AND THE CITIZENS OF JAPAN IN EACH OTHER'S INSTITUTIONS, BUSINESS ORGANISATION, ECONOMY, CULTURE, HERITAGE, HISTORY, SCIENTIFIC ACHIEVEMENTS; (B) THE AWARD OF SCHOLARSHIPS OR MAINTENANCE ALLOWANCES TO ENABLE STUDENTS AND ACADEMICS AT SCHOOLS, COLLEGES AND UNIVERSITIES IN THE UNITED KINGDOM OR JAPAN TO TRAVEL ABROAD TO PURSUE THEIR EDUCATION, (C) TO MAKE GRANTS TO INSTITUTIONS HAVING EXCLUSIVELY CHARITABLE OBJECTS ACCORDING TO THE LAW OF ENGLAND AND WALES WHICH ARE ENGAGED IN PROMOTING FOR THE PUBLIC BENEFIT EDUCATION IN THE UNITED KINGDOM OR JAPAN, OR RESEARCH INTO CULTURAL, HISTORICAL, MEDICAL AND SCIENTIFIC SUBJECTS AND THE PUBLICATION OF THE USEFUL RESULTS OF ALL SUCH RESEARCH.

**Area of Benefit** NOT DEFINED

**Area of**  
**Operation** Charity Operates Inside and outside England and Wales  
EUROPE-UNITED KINGDOM

**Registration** 17 Aug 1988 Registered  
**History**

#### **Classification**

**What** Education/Training  
Arts/culture

**Who** Children/Young people  
Other defined groups

**How** Makes grants to individuals(includes loans)  
Makes grants to organisations(incl. schools, charities etc)  
Provides buildings/facilities/open space  
Sponsors or undertakes research

[To view account documents click here](#) [Click Here for Help](#)  
[To view SIR click here](#) [Click Here for Help](#)

**Mailing & Submissions**

Mailing Cycle	Financial Year		Annual Return		Accounts Received
	Start	End	Issued	Received	
AR8	01 Apr 1998	31 Mar 1999	22 Jul 1999	17 Nov 1999	17 Nov 1999
AR00	01 Apr 1999	31 Mar 2000	03 Oct 2000	15 Jan 2001	15 Jan 2001
AR01	01 Apr 2000	31 Mar 2001	20 Jul 2001	07 Feb 2002	08 Oct 2001
AR02	01 Apr 2001	31 Mar 2002	14 Jun 2002	27 Jan 2003	27 Jan 2003
AR03	01 Apr 2002	31 Mar 2003	18 Aug 2003	12 Dec 2003	12 Dec 2003
AR04	01 Apr 2003	31 Mar 2004	26 May 2004	31 Jan 2005	31 Jan 2005
AR05	01 Apr 2004	31 Mar 2005	09 Aug 2005	30 Jan 2006	30 Jan 2006

**Financial History**

Financial Year Start	Financial Year End	Gross Income	Total Expenditure
01 Apr 1998	31 Mar 1999	£1,651,551	£1,427,155
01 Apr 1999	31 Mar 2000	£1,640,157	£1,346,088
01 Apr 2000	31 Mar 2001	£1,437,279	£1,690,828
01 Apr 2001	31 Mar 2002	£1,333,363	£1,501,737
01 Apr 2002	31 Mar 2003	£1,057,221	£1,224,025
01 Apr 2003	31 Mar 2004	£1,065,782	£1,116,532
01 Apr 2004	31 Mar 2005	£1,496,162	£1,203,892

**Trustees**[List Of Trustees](#)[Search for charities by charity object or name keywords](#)[Search for charities by the area in which they operate](#)[Search for a charity by its registered number](#)[Notes for users](#)[About the Register of Charities](#)


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Last updated: 08 Dec 2005

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## スコットランド制度改革・年表

2000 年	スコットランド自治行政府 Central Research Unit 調査報告書の公表
1997 年	スコットランド自治行政府 Central Research Unit の委託により Dundee 大学チャリティ法研究グループが、1990 年法の評価を行った結果の調査報告書(Scottish Charity Legislation: An Evaluation)の公表。1990 年法体制下における種々の問題点を指摘。
2000 年 3 月	スコットランド自治内閣司法大臣 Jim Wallace が、民間有識者によるチャリティ法改革のための特別委員会(The Scottish Charity Law Review Commission)の設置を言明。(委員長 Jean McFadden 女史に因んで、呼称 McFadden 委員会)
2001 年 5 月	McFadden 委員会による報告書の公表 本委員会は各方面の専門家 14 名により構成され、スコットランドの主要都市でワークショップを開催したり、150 アンブレラ団体（全体の約 1/3）、18000 ボランタリー組織（全体の 1/2 以上）など広汎な意見聴取を行った上で、114 の提言を含む報告書を提出し、5 月 9 日に公表。この提言が、スコットランド独自のチャリティ法制定の原点、またイングランドにおける内閣府戦略ユニットの報告書公表に 1 年余先行している。
2001 年 5 月	スコットランド行政府による McFadden 報告書に対する 9 月末を期限とするパブコメの実施。
2002 年 12 月	McFadden 報告書に対するスコットランド行政府としての正式な回答書(Charity Regulation in Scotland・The Scottish Executive's response to the report of the Scottish Charity Law Review Commission)の公表。
2003 年初	スコットランド議会総選挙
2003 年春	Breast Cancer Research (Scotland)事件が社会問題化
2003 年 5 月	改革問題担当 Margaret Curran コミュニティ相が、議会答弁で「新チャリティ法の制定を待たずに、チャリティを一元的に監督管理する専門の行政組織として スコットランド・チャリティ監督局(The Office of the Scottish Charity Regulator: 通称 OSCR)を早急に設置する」との行政府による基本方針を言明。
2003 年 12 月	チャリティ監督局(OSCR)の新設、活動開始 スコットランドにおける『チャリティ問題に関する、総合的な機能を持つ専門機関創設』の第一歩として、行政府所属の部局(Executive Agency)であるチャリティ監督局(The Office of the Scottish Charity Regulator:略称 OSCR)が、Dundee 市に設置され、12 月 16 日に活動

	を開始。初代責任者、Jane Ryder 女史。なお、本 OSCR は暫定的な行政機関であり、新チャリティ法の成立後は、特別法に基づく独立した行政機構である新 OSCR に移行の予定。
2004 年 5 月	OSCR によるチャリティへの直接コンタクト開始 スコットランドにおいて登録済の 17,689 チャリティに対して現況照会と試験的モニター・プログラムの連絡のため、直接出状。
2004 年 6 月	スコットランド自治内閣によるチャリティ法案のドラフトを公表、直ちに意見公募の実施 5 部 82 条 4 附則からなる法案ドラフトが 6 月 2 日に公表され、直ちに各地で 6 回の公聴会開催、8 月 25 日を期限とする国民一般から意見公募が行われた結果、262 件の意見提出。
2004 年 7 月～8 月	OSCR による効果的なモニター制度策定のためのパイロット・プログラムの実施、これに関する意見公募。
2004 年 8 月	検察庁・会計監査官室（COPFS）と OSCR 間で刑事事件に発展する可能性のあるケースの情報連絡、調査協力などの協定に合意。
2004 年 11 月 15 日	チャリティ法案(The Charities and Trustee Investment (Scotland) Bill 2005) のスコットランド議会提出。
2004 年 12 月	議会のコミュニティ委員会による法案の基本的内容に関する第一段階の検討を開始。
2005 年 3 月	議会のコミュニティ委員会は、3 月 2 日に第一段階における審議内容の報告書を公表。
2005 年 4 月	議会のコミュニティ委員会が、各種の修正提言を含む第二段階の検討を 4 月 20 日に開始。
2005 年 5 月	チャリティ委員会・OSCR 双方の実務責任者間で業務面における協力・連絡体制の確立に向けての覚書の締結。
2005 年 6 月 9 日	チャリティ法案が議会で可決。
2005 年 7 月 14 日	英女王の裁可により、新チャリティ法（The Charities and Trustee Investment (Scotland) Act 2005）が正式に成立。 本法は 4 部 107 条 4 附則の構成で、チャリティの認定要件である、2 つの公益性テストの規定が、イングランドの法案とは若干表現が異なる。
2005 年 8 月	HMRC Charities (Scotland) ・OSCR 間でデータ処理協定の締結。
2005 年 11 月	第 1 次 OSCR から第 2 次 OSCR への移行に先立ち、3 つのコンサルテーション、①Establishing an accurate Charity Register,②Meeting the Charity Test,③Consents and Notifications の実施(2006 年 1 月 27 日期限)。



2005 年 12 月	スコットランド法 104 条による整備法制定、規則改定の準備
2006 年 2 月	HMRC Charities (Scotland)の 3 月末閉鎖に伴い、チャリティの登録関係の完全引継ぎに関する詳細な手順を OSCR との間で協定。
2006 年 2 月	第 2 次 OSCR への移行に先立つ、主要 3 コンサルテーションの結果報告書: “Partners in Evaluation by Bark Bitel & Julia Kaufman” の公表。
2006 年 3 月	コミュニティ担当大臣による新 OSCR の経営委員会メンバーの任命、4 月からの新体制立ち上げに関する第 1 回経営委員会の開催。
2006 年 4 月 1 日	特別法に基づく独立した行政法人である新 OSCR の発足。
2006 年 4 月 24 日	新 OSCR による登録業務の開始 (予定)。
2007 年 4 月以降	Rolling Review による既存チャリティの事後チェック開始 (予定)。
2007 年 4 月以降	新法人類型 SCIO( Scottish Charitable Incorporated Organisation) の正式導入 (予定)。
2007 年 4 月以降	募金に関する諸規制の導入 (予定)。

## スコットランド議会における審議日程と公開議事内容

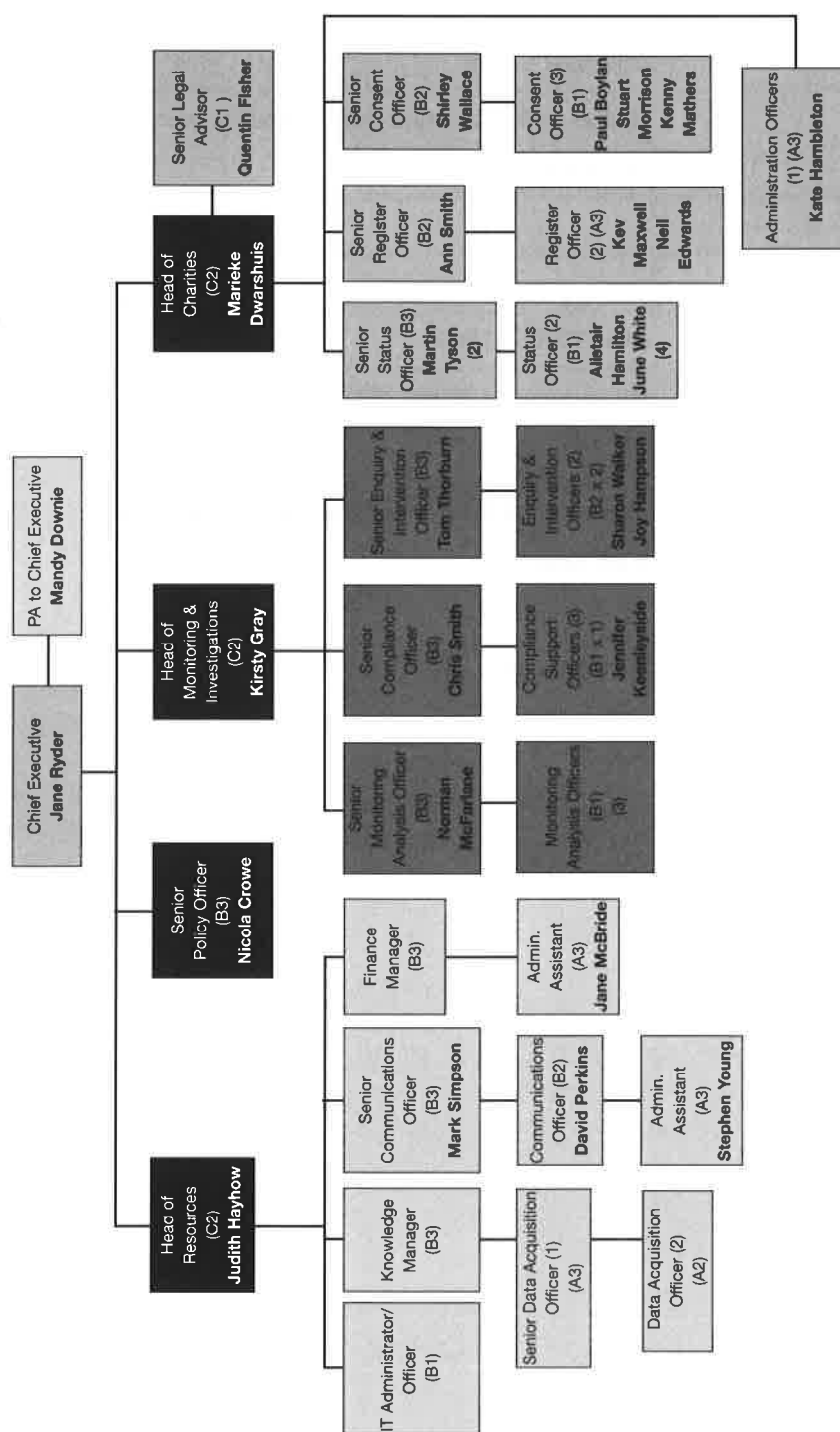
**Parliamentary history of Charities and Trustee Investment (Scotland) Act**

<b>Proceedings and Reports</b>	<b>Reference</b>
<b>Introduction</b>	
15 November 2004	Bill introduced
<b>Stage 1</b>	
<i>a) Communities Committee</i>	
29th Meeting, 1 December 2004	In Private
30th Meeting, 8 December 2004	cols 1473 - 1496
31st Meeting, 15 December 2004	cols 1499 - 1556
1st Meeting, 12 January 2005	cols 1558 - 1608
2nd Meeting, 19 January 2005	cols 1610 - 1650
3rd Meeting, 26 January 2005	cols 1651 - 1700
4th Meeting, 2 February 2005	cols 1702 - 1744
5th Meeting, 9 February 2005	In Private
6th Meeting, 23 February 2005	In Private
1st Report, 2005 (Session 2)	Stage 1 Report on the Charities and Trustee Investment (Scotland) Bill (SP Paper 301)
<i>b) Finance Committee</i>	
34th Meeting, 21 December 2004	cols 2139 - 2156
2nd Meeting, 18 January 2005	cols 2183 - 2227
3rd Meeting, 25 January 2005	In Private
4th Meeting, 1 February 2005	In Private
Report to Communities Committee, 2 February 2005	Report on Charities and Trustee Investment (Scotland) Bill
<i>c) Subordinate Legislation Committee</i>	
4th Meeting, 1 February 2005	cols 782 - 785
5th Meeting, 8 February 2005	cols 835 - 839
<i>d) Consideration by the Parliament</i>	
Stage 1 debate, 9 March 2005	cols 15095 - 15148

<b>Stage 2</b>	
<i>a) Communities Committee</i>	
12th Meeting, 20 April 2005	cols 2045 - 2092
13th Meeting, 27 April 2005	cols 2094 - 2136
14th Meeting, 4 May 2005	cols 2137 - 2170
Bill as amended at Stage 2	Bill as amended (SP Bill 32A)
<i>c) Subordinate Legislation Committee</i>	
19th Meeting, 7 June 2005	cols 1082 - 1086
23rd Report, 8 June 2005	Report on the Charities and Trustee Investment (Scotland) Bill (SP375)
<b>Stage 3</b>	
<i>Consideration by the Parliament</i>	
Stage 3 debate, 9 June 2005	cols 17820 - 17888
Bill passed, 9 June 2005	Bill as passed (SP Bill 32B)
Royal Assent	
14 July 2005	Charities and Trustee Investment (Scotland) Act 2005 (asp10)

出典 : <http://www.oscr.org.uk/ParliamentaryHistory.stm> (2007 年 3 月 30 日現在)

OSCr Staff Structure to April 2007: Diagram 1



M ☐

## 2006/07 Annual Return Form

Scottish Charity Number:  
The Charity's legal name:

**PLEASE USE BLACK PEN.** Write only in the empty white boxes. Do not write in the shaded boxes. Information written outwith the appropriate space may not be captured. Information need only be entered where the existing information is incorrect or the space is blank. Amendments should be entered into the white (change) boxes.

## Existing Principal Contact Details

If the charity has an office, please state the address of the principal office and enter the name of one of the charity trustees (for example a member of the board of directors or management committee), or another relevant person (for example the manager) as the principal contact. If the charity does not have an office, you **MUST** enter the name and address of one of the charity trustees. Please state whether the address given is a principal office address or a charity trustee's home address.

Title	Forename	Surname	Suffix
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
Preferred Salutation	<input type="text"/>		Designation <input type="text"/>
<input type="text"/>			
Address Line 1	<input type="text"/>		
<input type="text"/>			
Address Line 2	<input type="text"/>		
<input type="text"/>			
Address Line 3	<input type="text"/>		
<input type="text"/>			
Address Line 4	<input type="text"/>		
<input type="text"/>			
Address Line 5	<input type="text"/>		Postcode <input type="text"/>
<input type="text"/>		<input type="text"/>	
Telephone	<input type="text"/>		Fax <input type="text"/>
<input type="text"/>		<input type="text"/>	
E-Mail	<input type="text"/>		
<input type="text"/>			

Is this a new contact? Enter Yes or No.

Is this a principal office address (P) or a charity trustee's home address (T)? Enter P or T.

If this box is not completed we will assume the address given is a principal office address.

**1 – The name the charity is known by (if different from legal name)**

**Existing**

**Change**

**2 – The charity's website address (if applicable)**

**Existing**

**Change**

**3 – The charity's constitutional form**

**Existing**

☐

**Change**

☐

*Our records show that the charity is constituted as indicated below. If this is incorrect, please amend. If the constitution is not a deed of trust and there is not limited liability, most charities should enter 7 "unincorporated association" rather than "other". Category 9 "other" is for charities founded by other distinct forms.*

- |   |   |            |
|---|---|------------|
| 1 | SCIO (Scottish Charitable Incorporated Organisation)                            | Do not use |
| 2 | Company   |            |
| 3 | Industrial and Provident Society  |            |
| 4 | Statutory corporation (Royal Charter etc)                                       |            |
| 5 | Educational endowment   |            |
| 6 | Trust (founding document is a deed of trust) (other than educational endowment) |            |
| 7 | Unincorporated association  |            |
| 8 | CIO (Charitable Incorporated Organisation, E&W)                                 | Do not use |
| 9 | Other   |            |

**4 – Parent charity information**

*If your organisation is part of a larger organisation which is registered as a charity in Scotland or elsewhere or it has been set up by another registered charity for particular purposes, please give the other charity's name and registration number and the country where it is registered. We need this information for statistical and monitoring purposes.*

**Existing parent charity name**

**Country of registration**

**Registration number**

**4a – Change parent charity name**

**4b – Country of registration**

**4c – Registration number**

--	--	--	--	--	--	--	--	--	--

### 5 – Accounting period end date

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Please provide Accounts for the year ended as indicated in the boxes. If this does not reflect your current year end date, please contact us.

### 6 – Gross income in the accounting period

£ 

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 , 

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 , 

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 . 0 0

Please enter whole pounds only. If the charity accounts include a Statement of Financial Activities, this figure should be the total incoming resources for all funds; if only an income and expenditure account, use the total income figure; if a receipts and payments account, money from all sources should be totalled without deducting any expenditure.

### 7 – Charitable purposes

The charitable purposes set out in the Charities and Trustee Investment (Scotland) Act 2005 are listed below. If the existing information in respect of the charitable purpose(s) of your charity is wrong, please cross those you wish to remove and tick the change box of the alternative purpose.

	Existing	Change
7a – The prevention or relief of poverty	<input type="checkbox"/>	<input type="checkbox"/>
7b – The advancement of education	<input type="checkbox"/>	<input type="checkbox"/>
7c – The advancement of religion	<input type="checkbox"/>	<input type="checkbox"/>
7d – The advancement of health	<input type="checkbox"/>	<input type="checkbox"/>
7e – The saving of lives	<input type="checkbox"/>	<input type="checkbox"/>
7f – The advancement of citizenship or community development	<input type="checkbox"/>	<input type="checkbox"/>
7g – The advancement of the arts, heritage, culture or science	<input type="checkbox"/>	<input type="checkbox"/>
7h – The advancement of public participation in sport	<input type="checkbox"/>	<input type="checkbox"/>
7i – The provision of recreational facilities, or the organisation of recreational activities, with the object of improving the conditions of life for the persons for whom the facilities or activities are primarily intended	<input type="checkbox"/>	<input type="checkbox"/>
7j – The advancement of human rights, conflict resolution or reconciliation	<input type="checkbox"/>	<input type="checkbox"/>
7k – The promotion of religious or racial harmony	<input type="checkbox"/>	<input type="checkbox"/>
7l – The promotion of equality and diversity	<input type="checkbox"/>	<input type="checkbox"/>
7m – The advancement of environmental protection or improvement	<input type="checkbox"/>	<input type="checkbox"/>
7n – The relief of those in need by reason of age, ill health, disability, financial hardship or other disadvantage	<input type="checkbox"/>	<input type="checkbox"/>
7o – The advancement of animal welfare	<input type="checkbox"/>	<input type="checkbox"/>
7p – Any other purpose that may reasonably be regarded as analogous to any of the preceding purposes	<input type="checkbox"/>	<input type="checkbox"/>



## 8 – Beneficiary groups

*Tick every group that your charity exists specifically to serve. You must enter at least one. Do not mark groups just because they are among those served, only if the purpose of a service is to focus on them. If you are changing the existing information, please tick all those you wish to apply, and cross all those you wish to remove.*

	Existing	Change
8a – Children / young people	<input type="checkbox"/>	<input type="checkbox"/>
8b – Older people	<input type="checkbox"/>	<input type="checkbox"/>
8c – People with disabilities or health problems	<input type="checkbox"/>	<input type="checkbox"/>
8d – People of a particular ethnic or racial origin	<input type="checkbox"/>	<input type="checkbox"/>
8e – Other defined groups	<input type="checkbox"/>	<input type="checkbox"/>
8f – No specific group, or for the benefit of the community	<input type="checkbox"/>	<input type="checkbox"/>
8g – Other charities / voluntary bodies	<input type="checkbox"/>	<input type="checkbox"/>

## 9 – Type of activity

*Tick every description which explains the way your charity operates. You must enter at least one. If you are changing the existing information, please tick all those you wish to apply, and cross all those you wish to remove.*

	Existing	Change
9a – It makes grants, donations, loans, gifts or pensions to individuals	<input type="checkbox"/>	<input type="checkbox"/>
9b – It makes grants, donations or gifts to organisations	<input type="checkbox"/>	<input type="checkbox"/>
9c – It carries out activities or services itself	<input type="checkbox"/>	<input type="checkbox"/>
9d – It does none of these	<input type="checkbox"/>	<input type="checkbox"/>

## 10 – Geographical Spread

Existing ☐ Change ☐

*Enter the code number from the list that best describes how local or wide spread is the work of your charity, or the recipients of the grants it gives. You must enter only one.*

- 1 A specific local point, community or neighbourhood
- 2 Wider, but within one local authority area
- 3 More than one local authority area in Scotland
- 4 One or a few bases or facilities servicing people who come from a broad area
- 5 Operations cover all or most of Scotland
- 6 Scotland and other parts of the UK
- 7 UK and overseas
- 8 Overseas only



**11 – Head office or main operating location**

Existing

Change

Enter the code number of the authority area in which the charity's head office or main operating location lies, from the list below.

- |    |                     |    |                   |    |                     |
|----|---------------------|----|-------------------|----|---------------------|
| 1  | Aberdeen            | 12 | East Renfrewshire | 23 | Perth & Kinross     |
| 2  | Aberdeenshire       | 13 | Falkirk           | 24 | Renfrewshire        |
| 3  | Angus               | 14 | Fife              | 25 | Scottish Borders    |
| 4  | Argyll & Bute       | 15 | Glasgow City      | 26 | Shetland Islands    |
| 5  | City of Edinburgh   | 16 | Highland          | 27 | South Ayrshire      |
| 6  | Clackmannanshire    | 17 | Inverclyde        | 28 | South Lanarkshire   |
| 7  | Dumfries & Galloway | 18 | Midlothian        | 29 | Stirling            |
| 8  | Dundee City         | 19 | Moray             | 30 | West Dunbartonshire |
| 9  | East Ayrshire       | 20 | North Ayrshire    | 31 | West Lothian        |
| 10 | East Dunbartonshire | 21 | North Lanarkshire | 32 | Western Isles       |
| 11 | East Lothian        | 22 | Orkney Islands    | 33 | Outwith Scotland    |

**12 – Connected Trading Companies**

Does the charity have one or more connected trading companies (where a company sells goods or services to the public and runs at a profit / loss and which donates funds to the charity)? Enter Yes or No.

Existing

Change

**Data Protection**

OSCR is a Non-Ministerial Department of the Scottish Administration. Our data processing activities have been notified to the UK Information Commissioner, and appear on the Public Register with the registration number Z9409201.

Information on this form is processed for the following purposes:

- To regulate charities in Scotland
- To inform investigations into allegations of misconduct, mismanagement or misrepresentation
- To develop a regime of proactive monitoring
- To encourage and facilitate compliance and best practice within charities
- To inform research into the charity sector in Scotland

The information on this form may be shared with Her Majesty's Revenue and Customs and other regulatory bodies. Selected information will be publicly available via the OSCR website on the Scottish Charity Register.

**Certification**

- I certify that the information given in the attached form is correct to the best of our knowledge.
- In future, we would prefer to submit this annual return in paper (P) or electronic (E) format:

Existing

Change

Signed by one of the  
trustees on behalf of all

Date

Print Name

Designation

# Supplementary Monitoring Return

**PLEASE USE BLACK PEN. Write only in the empty white boxes. Do not write in the shaded boxes. Information printed outwith the appropriate space may not be captured.**

Figures in whole pounds only. Please place a single '0' in all lines where the answer is nil, blank or not applicable. Where a figure is negative, signify a minus sign through the  $\pm$  box – do not use brackets. Guidance notes are supplied to assist in the completion of the following sections. Please read them. Words in *italics* are explained in the glossary.

## Section A Financial Information

Please complete this section by reference to the accounts for the *accounting period*. The guidance notes help with this section. Under £100,000 gross income - complete only A7 and A15 together with A16 to A25 and sections B to F.

### BREAKDOWN OF INCOMING RESOURCES

A1 - Total donations, <i>fundraising</i> and legacies	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A2 - Interest and investment income, not including disposal proceeds or revaluations	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A3 - Total Government funding	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A4 - Income from trading in order to raise funds	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A5 - Income from a charitable activity	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A6 - Other incoming resources	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A7 - Total incoming resources as per the accounts (= A1 + A2 + A3 + A4 + A5 + A6) (This figure should agree with Q6 of the Annual Return)	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

### BREAKDOWN OF RESOURCES EXPENDED

A8 - Cost of generating voluntary funds (will be compared to A1)	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A9 - Cost of generating other funds, including Investment Manager's fees, obtaining public sector funding	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A10 - Cost of trading in order to raise funds (will be compared to A4)	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A11 - Cost of charitable activities	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A12 - Grants and donations made	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A13 - <i>Governance costs</i>	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A14 - Other	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
A15 - Total resources expended as per the accounts (= A8 + A9 + A10 + A11 + A12 + A13 + A14)	£	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

## BALANCE SHEET HIGHLIGHTS

A16 - Cash and Bank balances

+ £    ,    ,

A17 - Debtors

£    ,    ,

A18 - Other current assets

£    ,    ,

A19 - Liabilities payable within one year

£    ,    ,

A20 - *Net current assets* (=A16 + A17 + A18 – A19)

+ £    ,    ,

A21 - *Unrestricted funds* (included in A22)

+ £    ,    ,

A22 - Total Funds

+ £    ,    ,

## OTHER DETAILS

A23 - Are the figures in section A from “consolidated” (“group”) accounts? Yes ☐ No ☐

A24 - Total number of paid staff

A25 - Please indicate whether A24 is “headcount” (H) or “whole time equivalent” (W) ☐

## Section B - Questions about fundraising

The guidance notes help with this section. Check with the glossary for words in *italics*. All charities must answer questions B1, B2 and B4.

B1 - Did the charity engage in *fundraising*? Yes ☐ No ☐

B2 - Did the charity use paid agencies for *fundraising*, or for donor recruitment? Yes ☐ No ☐

**Only answer question B3 if you answered yes to question B2**

B3 - Is all the money payable to such agencies in the year for work done included in the cost of generating voluntary funds in section A? Yes ☐ No ☐

B4 - Were you aware during the *accounting period* of any *fundraising* that was carried out in the charity's name or for its benefit which was not authorised, solicited or encouraged by the charity? Yes ☐ No ☐

## Section C - The charity's trustees

Check with the glossary for words in *italics*. Answer all three questions.

C1 - State the number of *trustees* serving at the period end date

C2 - How many of these normally reside in Scotland?

(If a *trustee's* main home is in Scotland he or she should be included in this number, even if he or she was away for much of the *accounting period*).

C3 - How many of the *trustees* were paid a fee or a salary by the charity or by a *related body*?

### Section D - Payments to trustees

For sections D and E you should answer in respect of all *trustees* who served at any time during the *accounting period* and also include any persons, companies, or other bodies *connected* with them. Also in questions D1 - D6 of this section and all of Section E "the charity" includes any *related body*. Amounts in whole pounds please. Check the glossary for words in *italics*.

**Please answer every question in this section. We may reissue this form if any items are left blank. Where the answer to any question in this section is nil/none, please enter "0".** If such items have been omitted from the charity's accounts they should still be included here on the form.

**State the total amounts *paid* to the *trustees* during the *accounting period*:**

D1 – In settlement of personal outlays including travel, meals, training, accommodation and telephone, incurred in any capacity (not just for main board attendance). Do not include payments made in respect of non-personal purchases made on behalf of the charity.

£    ,    ,

D2 – For professional services provided to the charity.

£    ,    ,

D3 – For any other work done for the charity including salaries, wages and honoraria *paid* to the *trustees* in C1.

£    ,    ,

D4 – For any other reason, excluding direct reimbursement for purchases, and items dealt with in Section E.

£    ,    ,

D5 – Does the *governing document* give authority for the payments made to *trustees* declared in questions D2 to D4?

Yes ☐ No ☐ N/A ☐

(If payments have been declared in questions D2, D3, or D4 and you are marking No in D5, please provide a written explanation.

If no payments are declared in questions D2, D3 or D4 mark N/A - not applicable)

D6 – Please state the largest amount owed to the charity by any one *trustee* at any time in the year. (if not applicable enter "0")

£    ,    ,

### Section E - Transactions with trustees

Please see the note at the beginning of Section D. *Property* is land or buildings, and assets such as vehicles and computers. **Please answer every question in this section. We will contact you about any items that are left blank. If nil/none, please put "0".**

E1 - The total the charity received for all *property* sold to *trustees* in the *accounting period*.

£    ,    ,

E2 - The approximate total value of *property* given to *trustees* during the *accounting period*.

£    ,    ,

E3 - The total the charity *paid* for all *property* purchased from *trustees* during the *accounting period*.

£    ,    ,

E4 - Was all *property* bought from, or sold to, *trustees* advertised and sold on the open market?

Yes ☐ No ☐ N/A ☐



E5 - The total amount *paid* to any *trustee* during the *accounting period* in respect of occupation of any land or buildings belonging to the *trustee*.

£    ,    ,

E6 - Have any services, including the use of land, buildings or motor vehicles, been made available during the *accounting period* by the charity to one or more *trustees* (other than as one of the charity's beneficiaries)? If this service is a part of a contract of employment, please mark No. If Yes, please provide a written explanation.

Yes ☐ No ☐

### Section F - Dealings with *Connected Trading Companies*

If you have stated in the Annual Return that the charity has no *connected trading companies*, do not complete this section of the form.

F1 - Did the charity at any time in the period have money loaned to a *connected trading company*?

Yes ☐ No ☐

If yes, please answer questions F2 - F8. If no, go to F9.

F2 - Give the total of all loans owed to the charity by *connected trading companies* at the end of the *accounting period*.

£    ,    ,

F3 - Were all the loans *secured*?

Yes ☐ No ☐

F4 - Did the *connected trading companies* pay interest at commercial rates on all the loans?

Yes ☐ No ☐

F5 - Were all the loans covered by specific formal loan agreements which included repayment terms?

Yes ☐ No ☐

F6 - Was any money originally loaned to a *connected trading company* converted to share capital?

Yes ☐ No ☐

F7 - Was any money originally loaned to a *connected trading company* written off?

Yes ☐ No ☐

F8 - Was any money originally loaned to a *connected trading company* the subject of a full or partial provision for non-repayment in the charity's accounts?

Yes ☐ No ☐

F9 - State the total amount owed at the end of the *accounting period* to the charity from *connected trading companies* **excluding** loans.

£    ,    ,

F10 - Total turnover (income) of all *connected trading companies*.

£    ,    ,

F11 - Overall net total profit (+) or loss (-) on ordinary activities before donations to the charity and taxation.

☐ + £    ,    ,

F12 - Total net income in the charity's accounts transferred from *connected trading companies*.

£    ,    ,

### DECLARATION

Please ensure you have signed the declaration at the end of the Annual Return Form.



英国におけるチャリティ制度に関する調査研究 報告書

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2007年6月発行

発 行 財団法人 公益法人協会

〒113-0021 東京都文京区本駒込 2 - 27 - 15

TEL: 03-3945-1017 FAX: 03-3945-1267

URL <http://www.kohokyo.or.jp/>

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