

Frequently Asked Questions Donor Queries

How will the Charities Act help charities be accountable and transparent?

The Act provides for a new Charities Regulatory Authority. When the Authority is set up it will establish a public register of Charities. Any organisation that wishes to operate as a charity in Ireland will be legally obliged to be on the Register of Charities. The Register will be accessible by the general public, thus enabling the public to determine the charitable *bona fides* of the organisations they are considering supporting. If an organisation is not on the register, it will not be a charity in law. It will be an offence for an organisation that is not on the register to describe itself in such terms as to cause a member of the public to reasonably believe that it is a charity. All charities will have to keep proper books of accounts and (with some exceptions, e.g. charities with total income and expenditure of less than €10,000 in a financial year) will be required to have these audited or examined. Every charity will also have to provide an annual report on its charitable activities to the new Charity Regulatory Authority, and this will be available to the public. This improved transparency and accountability is intended to increase public confidence in charities, and to help people to make more informed choices about their charitable donations.

If I suspect that a charity I know (or donate to) doesn't comply with the *Statement*, what should I do?

If the matter is related to any suspected illegal act you must immediately contact An Garda Síochána. For other matters you should first address your query or complaint in writing directly to the charity concerned. The organisation should have a *Donor Charter* and a *Feedback and Complaints* section, which will tell you how best to make your query or complaint known, and what you can expect from the organisation in terms of a response.

If you are unsatisfied with the response you receive, or with the channels outlined, you can raise your query with the Monitoring Group (link to be provided when available).

The Monitoring Group will investigate the query and respond to you directly.

How can I be certain that the organisation I support is compliant with the *Statement*?

The *Statement*, in particular Section 4, sets out what you as a donor can expect from the organisation you support, or are thinking of supporting (link). You can expect the organisation to have a Donor Charter.

If you feel that the organisation does not meet the standards set out in the *Statement*, or in their Donor Charter, you should address your enquiry in the first instance in writing to the charity in question. If you are unhappy with the response you receive you can then address your query in writing to the Monitoring Group who will investigate it and reply to you (link to be provided when available).

I want to collect for charity at my local supermarket. What do I need to do?

You must always contact the charity for which you wish to collect in advance and get their agreement and their assistance to help you in your endeavour. In some cases a permit may be required and the charity will need to apply for that. In other cases the permission of the owner of the property (such as in a shopping centre) may be required. It is advised not to act on behalf of a charity (including fundraising on their behalf) without their prior knowledge and permission.

I want to carry out a House-to-House or Street Collection for charity. What do I need to do?

As above, you must always contact the charity for which you wish to collect in advance and get their agreement and their assistance to help you in your endeavour. In this case a permit is required and the charity will need to apply for that. It is advised not to act on behalf of a charity (including fundraising on their behalf) without their prior knowledge and permission.

Can I fundraise for my sick child?

Yes, but you must not call it a charity collection. This is because of the legal principle that charities are for the benefit of the public, or a significant section of the public, not for an individual. Check with An Garda Síochána if you are proposing to carry out a street or house to house collection. Although fundraising of this kind is not legally charitable, best practice is that proper accounts should be kept.

