



STATEMENT REGARDING INSPECTION OF ANIMAL HEAVEN ANIMAL RESCUE (AHAR) RCN: 20082383

(31/03/2017)

The Charities Regulator is satisfied that AHAR has met the requirements of the notice issued to it by the Charities Regulator on January 13th this year. They have rectified the contravention of the Charities Act, 2009 within the specified timeframe and implemented the required measures.

The notice was issued following an assessment of the organisation by the Charities Regulator which found the charity was not in compliance with their legal requirements in respect of Section 47 of the Charities Act 2009 - 'Duty to keep proper books of account'.

The notice, which was accepted by the organisation on the 16th January 2017, set out the requirement for AHAR to rectify the contravention within the specified timeframe and implement the following measures:

- Assign the responsibility of keeping proper books of account to a person(s) with the appropriate skills and experience.
- Introduce periodic financial reporting setting out the income and expenditure (including the nature of that income and expenditure) and the assets and liabilities of the charity.
- Ensure all financial reports are scrutinised by the charity trustees under a standing agenda item – 'financial status of the charity' during regular management committee meetings

The Charities Regulator has since carried out an inspection of Animal Heaven Animal Rescue (AHAR) to determine if the charity had met the requirements of the notice issued on 13 January 2017 pursuant to Section 73 of the Charities Act, 2009.

As a result, the Charities Regulator does not intend to bring proceedings against the charity trustees under section 73 (4) of the Charities Act, 2009.

ENDS

For more information contact press@charitiesregulator.ie

Note for Editors

The Charities Regulator issued the Kerry based Charity, Animal Heaven Animal Rescue (AHAR) with a notice pursuant to Section 73 of the Charities Act, 2009 on 13 January 2017.

The notice followed an assessment of the organisation by the Regulator's Compliance Unit which found the charity was not in compliance with their legal requirements in respect to Section 47 of the Charities Act 2009 - 'Duty to keep proper books of account'. The notice was accepted by the Charity on 16 January 2017.

Section 73 of the Charities Act, 2009 under which the Sanction was issued is set out below:

73.— (1) Where, in relation to a registered charitable organisation, there is a contravention of section 47, 48, 50 or 52 or a direction under section 51 (2) and the Authority considers that it would be reasonable and proportionate in the circumstances not to bring proceedings for an offence consisting of the contravention but instead to impose an intermediate sanction, it may if the charity trustees undertake to—

(a) rectify the contravention within such period as the Authority shall specify,

(b) accept the imposition of intermediate sanctions by the Authority, and

(c) adopt such course of action (if any) as may be agreed upon by them and the Authority for the purpose of ensuring that the contravention does not occur again,

impose one or more intermediate sanctions on the charity trustees or the charitable organisation, as it considers appropriate.

(2) Where the Authority proposes to perform functions under subsection (1), it shall serve a notice on the registered charitable organisation or the charity trustees concerned of the proposal.

(3) Subject to subsection (4), proceedings for an offence consisting of the contravention concerned shall not be brought if the charity trustees of the charitable organisation concerned give an undertaking in accordance with subsection (1).

(4) Where the charity trustees of a registered charitable organisation refuse to give an undertaking in accordance with subsection (1), or having given such an undertaking fail to—

(a) rectify the contravention concerned within the period specified by the Authority, or

(b) implement the measures specified in an agreed course of action,

proceedings for the offence consisting of the contravention concerned shall be brought.

(5) In this section “ intermediate sanction” means—

(a) removal of the charitable organisation from the register for such period as the Authority shall determine, or

(b) publication of particulars of the contravention concerned on the internet website of the Authority.