Registering with the Charities Regulator in the Republic of Ireland FAQs

*If you have a question that isn't answered here please email **charityregistration@scouts.ie** and we'll do our best to get back to you as soon as possible.*

BACKGROUND

Q: Why do Scout Groups need to register with the Charities Regulator?
A: Due to the Charities Act 2014 and in order for the Scout Group to remain autonomous and in charge of its own finances, etc, within the new company-only structure, it was decided that each Scout Group would register as its own charitable entity.

Q: When did the membership vote for the company-only structure and for each Scout Group to become a charity?
A: These changes were voted upon at the National Councils of 2018 and specifically on the 6th October. Motion 3 specifically deals with the Scout Group Charter (also attached) which states in Article 11 – "The Scout Group shall be registered with the relevant Charities Regulator and shall register with Scouting Ireland annually to renew this charter. Renewal of the charter shall be at the sole discretion of Scouting Ireland."
The minutes of the EGM can be found here:
https://www.scouts.ie/Scouter/National-Stuff/AGM/AGM-2019/BOD-30-AGM19-02-Minutes-of-EGM-2018-10-06.pdf
The Group Charter and Constitution that was voted upon can be found here:
https://www.scouts.ie/Scouter/National-Stuff/National-Council-EGM-October-2018/NCEGM1018-01-05-5-Scout-Group-Charter-Final.pdf

TRUSTEESHIP

Q: Who are the trustees of the Scout Group?
A: The Group Council Members are the trustees of the Scout Group. The membership of the Group Council is outlined in the Group Constitution under article 12, and there are the following positions: Group Leader, Group Chairperson, Group Secretary, Group Treasurer, Group Quartermaster / Bo'sun, Group Youth Champion, one other Adult Member of the Scout Group

Q: When are the trustees voted in?
A: The trustees are voted in at the Group AGM every year. The only position that is not voted in every year is the Group Leader, as per their terms of office.

Q: Can an associate/support member be a trustee?
A: Yes, some Group Council Members may be Associate/Support Members.

Q: Will insurance cover be provided for the Group Trustees?
A: Yes, a comprehensive insurance policy is being provided for the trustees of each Scout Group. The policy can be found here: **https://www.scouts.ie/pdfJS/pdfViewer.aspx?n=/Scouter/Charity-Registration/Trustee-Insurance.pdf**

Q: Can a Group Trustee be a non-resident?
A: Yes, there is nothing stipulating that the Group Trustees have to live in the Republic of Ireland.

Q: If someone is a trustee and has been 'suspended without prejudice' within Scouting Ireland, do they remain a trustee?
A: No, they will no longer be able to act in the role of trustee while they are 'suspended without prejudice' and there will be a procedure that will need to be followed if this were to happen.

Q: Should each group have a code of conduct for their trustees.
A: It is recommended that a Group Council would have a code of conduct, however this is not needed for the registration process. Scouting Ireland will draft a code of conduct template, based around the Scout Law and Promise, for Groups to use for their Group Council Meetings and this will be available in the coming months.

Q: Will training be provided for the Group Council Members as trustees?
A: There are already a number of resources available on the role of the trustees, and Scouting Ireland will be providing a webinar for members in the next month or so. Going forward an online module may be compiled based around the trusteeship of a Scout Group.

Q: Can members of the one family be on the Group Council?
A: It is recommended that the Group Council Members are not related, however this scenario is possible as long as it doesn't create a situation of one "family" having a monopoly on the control and decisions of the council.

REGISTRATION

Q: What name does the Scout Group use for the registration?
A: The Group should use the full name of the Group as it appears on the database using the common template – Number - County – Area/Chosen Name – Scout Group (i.e. 500th Dublin Ballymount Scout Group)

Q: How is the registration done?
A: The registration application is submitted through the Charities Regulator online portal by creating an account on the portal. There are a number of documents/policies that the Group will need to adopt and Scouting Ireland have provided templates of these documents.
https://www.charitiesregulator.ie/en/information-for-charities/myaccount

Q: Is there a time access limit on their account portal?
A: No and the application can be saved and returned to at a later stage

Q: Do we have to follow the format of the documents that have been sent out from Scouting Ireland or can we amend them?
A: These documents have been agreed upon by the Charities Regulator and so the format shouldn't be altered. Some of the documents can be added to using the text boxes provided (I.e. Group Membership Policy) while others can't be altered at all (i.e. Group Charter)

Q: Can all Group Council members access the application on the portal?
A: Yes, all members can access the application on the portal but only through the Group's (not individual) login details. We are recommending that one member of the Group Council takes responsibility for the application and keeping the login details.

Q: Is there a guide that Groups can use to go through the application?
A: Yes, there is a step by step guide that is being sent out with the registration pack.

Q: Can a Group print off a copy of their submission for their records, once they have submitted same?
A: The Group's submission is done through an online portal in which the submission can be changed/updated, etc. The final submission will be available to view and print off from the online portal.

Q: Why does the Charities Regulator need a copy of the Group Charter as this is the relationship between the Group and Scouting Ireland?
A: Because the Group is also governed by the policies of Scouting Ireland and not just the Group constitution and local policies, the charter gives them clarity on how the relationship between the Group and Scouting Ireland works.

REPORTING

Q: Does each Group need to submit annual report/returns to the Charity Regulator?
A: Yes, each Group will have to submit a number of things within 10 months of the financial year end. This is done through the Charities Regulator online portal.

Q: When will my Group have to submit its first annual report/returns?
A: As the Groups register with the Charities Regulator during the scouting year 2020/2021, the first time they will need to submit their annual report by the end of April 2022.

Q: Who on the Group Council is responsible of ensuring registration trustee data is up to date and annual returns are made?
A: It is the responsibility of all trustees to ensure these things are done, however it would be envisaged that this a role of the Group Secretary or Chairperson, something for each Group Council to decide.

OTHER

Q: Whereby the charity can claim against tax paid if an individual donates €250 or more – do we qualify for this and if so, could fees count?
A: There is potential for Groups to claim back tax on some things, however fees paid to the charity aren't counted as a donation due to the benefit incurred by the "donor" or someone related to them. Also, for the Group to qualify to claim the tax back they will need to register with Revenue.

Link to Revenue section on this: https://www.revenue.ie/en/companies-and-charities/charities-and-sports-bodies/charitable-donation-scheme/index.aspx

Link to the Revenue Donations document - https://www.revenue.ie/en/companies-and-charities/documents/guidance-notes-on-what-is-a-relevant-donation.pdf

Q: If there is child protection issue within the Group who deals with this?
A: It will be dealt with by the Safeguarding Department in Larch Hill as per the current Safeguarding Policies and Procedures.

Q: If the trustees agree to close the Group (charity) what happens to the assets of the Group if there are assets left e.g. money in bank, equipment, and property?
A: This is outlined in the Group Constitution and also per Scouting Ireland Policies, specifically SID 58/10 – Policy on Closed and Inactive Groups