

## ELIGIBILITY TO SERVE AS A CHARITABLE TRUSTEE RI

Eligibility to serve as a charitable trustee and, consequently, as a member of a Select Vestry in the Church of Ireland is governed by the Republic of Ireland Charities Act 2009 Section 55 (1). Please draw this section to the attention of General Vestry members in advance of elections to the Select Vestry, and to Select Vestry members before they fill in the trustee declaration form. If a member of the Select Vestry has a concern, they should phone the Charities Regulatory Authority (CRA) for advice, as most spent offences or some categories of bankruptcy, for example, do not result in disqualification to serve. The CRA's view will usually suffice, although the Act does permit a person to seek a judgement in the High Court. CRA Tel: 6331500

### Charities Act 2009 S55(1)

55.— (1) Subject to *subsection (3)*, a person shall cease to be qualified for, and shall cease to hold, the position of charity trustee of a charitable organisation if that person—

- (a) is adjudicated bankrupt
- (b) makes a composition or arrangement with creditors,
- (c) is a company that is in the course of being wound up,
- (d) is convicted on indictment of an offence,
- (e) is sentenced to a term of imprisonment by a court of competent jurisdiction,
- (f) is the subject of an order under section 160 of the Companies Act 1990 or is prohibited, removed or suspended from being a trustee of a scheme under the Pensions Acts 1990 to 2008,
- (g) has been removed from the position of charity trustee of a charitable organisation by an order of the High Court under [section 74](#) .