

Bishop,

In 2008, the Northern Ireland Assembly enacted the Charities Act (Northern Ireland) 2008. In 2009, the Oireachtas enacted the Charity Act 2009. Both statutes require institutions seeking charitable status to have a Statement of Charitable Purposes and Objects approved by the governing body of the relevant charity – in our case, by the General Synod.

Bill No 4, therefore, seeks to ensure that bodies governed by the laws of the Church of Ireland would use the Statements of Charitable Purposes and Objects and the Statement of Public Benefit when registering under legislation now enacted in Northern Ireland and in the Republic of Ireland.

Let me unpick some of the background and issues which we are obliged to consider.

We begin with the concept of charity which lies at the heart of the legislation. The Oxford Dictionary defines charity as

- * an organisation set up to help those in need.
- * the voluntary giving of money or other help to those in need.
- * help or money given to those in need.
- * tolerance in judging other people.

In terms of transparency, accountability and probity, it is the legal duty of all charities to register and exhibit compliance with the new legislation in the jurisdiction in which they are based. In response to the new legislation, the Standing Committee and the Representative Body established a Charities Registration Monitoring Group under the chairmanship of the Primate, Archbishop Clarke to examine how best to achieve compliance with the legislation and how best to implement and roll out the registration process. We in the Church of Ireland have embarked on pilot schemes of compliance in both jurisdictions and the Bill before the House gives an appropriate response to our obligations.

Church of Ireland bodies have traditionally fallen within the charitable purpose described as 'the advancement of religion'. The new legislation in the two jurisdictions has adopted slightly different approaches to how charitable purpose will be evaluated and given recognition in future.

In the Republic of Ireland, the charitable purpose will simply be stated as the advancement of religion. The public benefit of this is assumed, with no need for further proof or explanation. The charitable objects outlining the particulars of the work of the Church will be separately stated.

In Northern Ireland, however, the public benefit flowing from the advancement of religion is not automatically recognised as a public benefit under the legislation. Public benefit must be demonstrated. Charitable purpose is stated slightly differently because all aspects of the objects must be clearly linked to the public benefit that is demonstrated.

Bill No 4 would adopt Statements of Charitable Purposes and Objects for use in both jurisdictions. The wording is almost identical for both jurisdictions but there is a slight difference in emphasis due to the fact that the relevant authorities in Northern Ireland and the Republic of Ireland apply terminology in a slightly different way. The Bill would also adopt a Statement of Public Benefit for use in Northern Ireland to satisfy the legislative requirement there.

The Bill would also repeal a resolution adopted by the General Synod in 2010 which provided a Statement of Charitable Purpose and a Statement of Public Benefit for use by Church of Ireland Select Vestries or equivalent bodies registering as charities in Northern Ireland.

This Bill, if passed, will give Church of Ireland bodies clear guidance for use when they are registering as charities. Furthermore, we have endeavoured to make the language used in both jurisdictions as close as possible in recognition of the fact that we are one Church across the entire island.

Bishop, I propose that the Bill be given a Second Reading.

