



**CHARITIES REGISTRATION ACT 1989**

**CHARITIES REGULATIONS 2007**

*Approved by Tynwald*      *21<sup>st</sup> March, 2007*

*Coming into operation*      *1<sup>st</sup> April 2007*

In exercise of the powers conferred on the Deemsters, by section 11 of the Charities Registration Act 1989 and all other enabling powers, the following Regulations are hereby made :-

**Citation, commencement and revocation**

1. (1) These Regulations may be cited as the Charities Regulations 2007 and, subject to section 11(2) of the Charities Registration Act 1989(a), shall come into operation on 1<sup>st</sup> April 2007.
- (2) In these Regulations “the Act” means the Charities Registration Act 1989;

**Form of Independent Examiners’ Reports**

2. The independent examiner’s report required under section 5 of the Act shall be in the form set out in Part 1 and, as the case requires, Part 2 of Schedule 1.

**Qualifications of Independent Examiners’**

3. For the purposes of section 5(4)(b)(ii) of the Act (qualification to be held by an “examiner”), the prescribed qualifications are set out in Schedule 2.

**Public Inspection of Filed Documents**

4. The Chief Registrar shall permit any person, who so requests, to inspect any of the statements and documents filed under sections 2 and 5 of the Act.

**Definition of ‘Gross Income’**

5. For the purposes of the Act, “gross income” is the total recorded income of the charity from all sources including special trusts and funds released from endowments, but excludes:

- (a) resources being received as endowments;
- (b) gains from disposals of fixed assets and investments;
- (c) asset revaluation gains.

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(a) 1989 c.11.

Price: £1.00 Price Code A

**Regulation 2**

**SCHEDULE 1  
INDEPENDENT EXAMINER'S REPORT  
PART 1**

**Independent Examiner's Report to the Trustees/Officers/Directors (hereinafter "trustees") of**  
..... (Charity Name), Isle of Man Charity Registration Number ..... (Charity Number)

I hereby report on the accounts of ..... (Charity Name) for the year ended ....., which are set out in the attached pages ..... to .....

**Respective responsibilities of trustees and examiner**

The trustees are responsible for the preparation of the accounts for the charity. The trustees consider that an audit is not required for this year under section 5 of the Charity Registration Act 1989 ("the Act") and that an independent examination is appropriate.

It is my responsibility to:-

- examine the accounts; and
- state whether particular matters have come to my attention.

**Basis of independent examiner's report**

My examination was carried out taking into consideration general guidance given by the General Registry. An examination includes a review of the accounting records kept by the charity and a comparison of the accounts presented with those records. It also includes consideration of any unusual items or disclosures in the accounts, and the seeking of explanations from you as trustees concerning any such matters. The procedures undertaken do not provide all the evidence that would be required in an audit, and consequently I do not express an audit opinion on the accounts.

**Independent examiner's statement**

In connection with my examination, I have reasonable cause to believe that (other than in relation to those matters disclosed in Part 2 below\*):-

- (1) in all material respects the requirements:
- to keep accounting records in accordance with regulations made under section 11(1)(a) of the Act;
  - to prepare accounts in accordance with regulations made under section 11(1)(b) of the Act ;
- have been met; and
- (2) there are no material matters to which, in my opinion, attention should be drawn in order to enable a proper understanding of the accounts to be reached.

*\* Please delete/omit the words in the brackets if they do not apply*

Signature :

Name :

Relevant professional qualification or body :

Address :

Date :

**INDEPENDENT EXAMINERS' REPORT (Contd)**

**PART 2**

**DISCLOSURES**

*Only to be completed if the examiner needs to highlight material problems.*

In the course of my examination the following material matters have come to my attention to which, in my opinion, attention should be drawn:

*(Give here brief details of any items that the examiner wishes to disclose)*


Regulation 3


**SCHEDULE 2  
INDEPENDENT EXAMINERS' QUALIFICATIONS**

Governing Body	Qualification
ICSA - Institute of Chartered Secretaries & Administrators	ACIS - Associate of the Chartered Institute of Secretaries
ICSA - Institute of Chartered Secretaries & Administrators	FCIS - Fellow of the Chartered Institute of Secretaries
CIB - The Chartered Institute of Bankers	ACIB - Associate of The Chartered Institute of Bankers
CIBS - The Chartered Institute of Bankers in Scotland	MCIBS - Member of the Chartered Institute of Bankers in Scotland
ACCA - Association of Chartered Certified Accountants	CAT - Certified Accounting Technician
ACCA - Association of Chartered Certified Accountants	Diploma in Financial Management
AAT - Association of Accounting Technicians	AAT - Association of Accounting Technicians
ICAEW - Institute of Chartered Accountants in England & Wales	Diploma in Charity Accounting
CIPFA - Chartered Institute of Public Finance and Accountancy	Certificate in Charity Finance & Accountancy
CIPFA - Chartered Institute of Public Finance and Accountancy	Diploma in Public Audit
AIA - The Association of International Accountants	AAIA - Associate of the Association of International Accountants
AIA - The Association of International Accountants	FAIA - Fellow of the Association of International Accountants
AAPA - The Association of Authorised Public Accountants	AAPA - Associate of the Authorised Public Accountants
IIA - The Institute of Internal Auditors UK & Ireland	PIIA - Diploma in Internal Audit Practice
IIA - The Institute of Internal Auditors UK & Ireland	MIIA - Advanced Diploma in Internal Auditing and Management
ACT - The Association of Corporate Treasurers	AMCT - Diploma in Corporate Treasury Management
IFA - The Institute of Financial Accountants	FFA - Fellow of the Institute of Financial Accountants

Made <sup>12<sup>th</sup></sup> 14<sup>th</sup> February

2007

  
J. Michael Kerruish  
Her Majesty's First Deemster and Clerk of the Rolls

  
D.C. Doyle  
Second Deemster

**Explanatory Note  
(This note is not part of the Regulations)**

These regulations prescribe the qualifications of those people allowed to independently examine a registered charity's annual accounts and prescribe the form of the examiner's report required to be filed in the General Registry along with those accounts. The regulations also place a requirement on the Chief Registrar to make publicly available any statements and documents statutorily filed by registered charities in the General Registry.

