

3. The governing instrument of the institution, which has been approved by the Attorney General:

- (a) prohibits the solicitation or receipt of donations, bequests or legacies from any person other than the donor, the donor's spouse or the issue of the donor living at the date of the creation of the institution, or the Trustees of any trust settled by the donor, or Trustees of any trust that has received funds solely from any such trust or, in the case of an incorporated donor, from another corporate body which belongs to the same corporate group as the donor and which existed at the date of the creation of the institution;
- (b) requires the majority of the trustees or, in the case of an incorporated institution, incorporated trustee or incorporated director of any such incorporated institution or incorporated trustee, the directors to be resident in the Isle of Man and that all meetings of the trustees, or directors, take place in the Isle of Man;
- (c) provides for one of the trustees, or directors, or one of the directors of a corporate trustee, or one of the directors of a corporate director, who is resident in the Isle of Man and who is the holder or key person (as defined in section 9(7) of the Corporate Service Providers Act 2000 ^(b) ("the 2000 Act")) of a fiduciary licence under the 2000 Act and is acting under the terms of that licence to be appointed as the "responsible person" in respect of the institution and who shall retain all books, records and other documents of the institution and who shall be authorised to accept service of notices or other documents served on the institution;
- (d) provides that the Attorney General shall be notified of the appointment of all trustees, or directors, and of the responsible person within 14 days of such appointment;
- (e) provides that its accounts shall be made up at least once in each calendar year and audited by an accountant, as defined in section 3 of the Interpretation Act 1976^(c), who is not a trustee, a director, or a director of a corporate trustee of the institution or of any trusts settled by or corporate body in receipt of funds from the donor or the donor's family or, in the case of an incorporated donor, by any other corporate body which belongs to the same corporate group as the donor, that the auditor shall have the same powers as those conferred on an auditor of the accounts of a registered charity under section 6(1) of the Act and that the accounts and the auditor's report shall comply with any regulations made under section 11(b) of the Act;
- (f) provides that, within 6 months of the end of each financial year of the institution, a copy of the accounts and of the auditor's report shall be sent to the Attorney General, together with a certificate from the responsible person that no donations, bequests or legacies have been received except in compliance with the provisions of the governing instrument; and
- (g) in the case of a trust or other unincorporated institution, and that of an incorporated institution which has not been granted a licence under section 18 of the

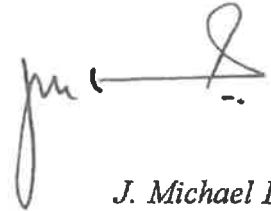
^(b) 2000 c. 13

^(c) 1976 c. 20

Companies Act 1931 by the Attorney General, provides that no amendment to the governing instrument shall be made without the prior approval in writing of the Attorney General.

4. The institution complies with the requirements of its governing instrument.

Made the 31st day of March 2008



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 exempt institutions established for charitable purposes which comply with the conditions in the Schedule from the requirement to register under the Charities Registration Act 1989 and, in consequence, from the requirement to file audited accounts in the General Registry.

