

## NOTICE

**Notice issued pursuant to Section 73 of the Charities Act, 2009 (“the Act”)**

**To: The Charity Trustees of Animal Heaven Animal Rescue**

**Address: Crag, Castleisland, Co. Kerry**

**Whereas** the Charities Regulatory Authority ('the Authority') has formed the view that there is a contravention by the charity trustees of Animal Heaven Animal Rescue of section 47 of the Act [ and the trustees have accepted the same]

and **Whereas** the Authority considers that if the charity trustees undertake as set out hereafter that it would be reasonable and proportionate in the circumstances not to bring proceedings for an offence consisting of the contravention but instead to impose an intermediate sanction pursuant to section 73(1) of the Act.

**Take Notice** that pursuant to this Notice on the charity trustees of Animal Heaven Animal Rescue made in accordance with section 73(2) of the Act, the Authority proposes that the following intermediate sanction would be imposed; namely publication of particulars of the contravention concerned on the internet website of the Authority: -

if you undertake in writing by as soon as may be but at the latest by 5pm on 20<sup>th</sup> January 2017 :

- a) to rectify the contravention by no later than forty days from the date of the undertaking;
- b) to accept the intermediate sanction as outlined above; and  
to assign the responsibility of keeping proper books of account to a person(s) with the requisite skills and experience. The assignment should be underpinned by a formal agreement. The charity trustees are required to introduce periodic financial reporting setting out the income and expenditure (including the nature of that income and expenditure) and the assets and liabilities of the charity. The reports should be scrutinised by the charity trustees under a standing agenda item – 'Financial Status of the Charity' during regular management committee meetings.

**Further take notice that:**

Pursuant to section 73(3) of the Act, proceedings for an offence consisting of the contravention concerned shall not be brought if the charity trustees of the charitable organisation concerned give an undertaking in accordance with section 73 (1).

Pursuant to section 73(4) of the Act, where the charity trustees of a registered charitable organisation refuse to give an undertaking in accordance with section 73 (1), or having given an undertaking fail to-

- (a) rectify the contravention concerned within the period specified by the Authority, or
- (b) implement the measures specified in an agreed course of action,

proceedings for the offence consisting of the contravention concerned shall be brought.

A person guilty of an offence under the Act is liable on summary conviction to a fine not exceeding €5,000, or to imprisonment to a term not exceeding 12 months or to both. Alternatively, a person guilty of an offence under the Act is liable on conviction on indictment to a fine not exceeding €300,000, or to a term of imprisonment not exceeding 10 years or to both.

**SIGNED:**

  
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**Chief Executive Officer**  
**Charities Regulatory Authority**

**DATE:**

13 January 2017.