



**An tÚdarás  
Rialála  
Carthanas**  
Charities  
Regulatory  
Authority

## **Terms of Reference and Rules of Procedure of the Consultative Panel on Charitable Fundraising**

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## **1 AUTHORITY**

- 1.1 The Consultative Panel on Charitable Fundraising is established by the Charities Regulatory Authority (the 'Authority') in accordance with Section 36 of the Charities Act 2009 (the '2009 Act').

## **2 MANDATE**

- 2.1 The Consultative Panel is established to consider:

1. The commencement of Sections 93 to 96 inclusive of the 2009 Act;
2. The Minister's power to make Regulations to govern charitable fundraising pursuant to Section 97 of the 2009 Act;
3. Other options for regulation of charitable fundraising such as a code of practice, having regard to resources, take up, monitoring and enforcement; and
4. The role of the Authority in the regulation of charitable fundraising.

## **3 COMPOSITION**

- 3.1 The panel consists of:

- Chairperson – Ann FitzGerald (CRA Board Member)
- Niamh Callaghan (Mason, Hayes and Curran)
- Denisa Casement (Merchants Quay Ireland)
- Tom Costello (CRA Board Member)
- John Cunningham (Immigrant Council of Ireland)
- Deirdre Garvey (The Wheel)
- Jim Howe (Concern)
- Lucy Masterson (Fundraising Ireland)
- Sheila Nordon (ICTR)
- Úna Ni Dhubhghaill (CEO, CRA)

- 3.2 A focus group of charitable donors shall be put in place so as to ensure that their views are taken into account by the Panel.

## **4 CHAIRPERSON**

- 4.1 The Chairperson is appointed by the Board of the Authority.

- 4.2 The Chairperson is responsible for the efficient conduct of the business of the consultative panel, in particular by:

- planning the work of the panel together with the Chief Executive;
- ensuring, together with the secretary to the panel, that the rules of procedure are respected;

- aiming to achieve consensus on issues discussed by the panel; and
- reporting on the activities of the panel as appropriate.

## **5 ADMINISTRATIVE SUPPORT**

- 5.1 A Secretary and Executive to the panel shall be appointed by the Chief Executive.
- 5.2 The Authority shall provide such administrative facilities as may be necessary to enable the panel perform its functions.

## **6 MEETINGS**

- 6.1 Meetings are held with sufficient frequency to enable the consultative panel to carry out its functions.
- 6.2 Members may participate in meetings by telephone or teleconference. Members so participating are considered to be present at the meeting.
- 6.3 Meetings are chaired by the Chairperson. In his/her absence, an acting Chairperson is appointed from among the members.
- 6.4 The Panel may act in the absence of one or more members. If members cannot attend all or part of a meeting, they must notify the Secretary in advance of the meeting.
- 6.5 The quorum for meetings is five members.
- 6.6 The agenda for each meeting is established by the Chairperson and shall be circulated with related papers in advance of the meeting.
- 6.7 Each member of the consultative panel present has one vote. Decisions are made by consensus or by a majority of the votes of the members present. If there is an equal division of votes, the Chairperson has a casting vote.
- 6.8 Any employee of the Authority or other person may be invited to attend for particular items at the discretion of the Chairperson but they are not entitled to vote.

## **7 MINUTES OF MEETINGS**

- 7.1 Minutes of each meeting are prepared by the Secretary.
- 7.2 The minutes shall include:
  - the names of all attendees;

- a summary record of the proceedings; and
- decisions taken or conclusions reached by the consultative panel.

7.3 Draft minutes are sent to members before the next meeting. They are adopted at the following meeting, signed by the Chairperson and a copy provided to the Chief Executive and the Board of the Authority.

## **8 REPORTING**

8.1 The final report of the panel, including any recommendations, shall be presented to the Board of the Authority within 9 months of the date of the first meeting of the panel.

8.2 The period referred to in paragraph 8.1 may be extended by the Authority upon request of the panel.

## **9 GUARANTEES OF INDEPENDENCE AND CODE OF CONDUCT**

9.1 The Terms of Reference of the consultative panel shall be published on the Authority's website.

9.2 The names of the members and the organisation they represent (if any) are made public.

9.3 Where, at a meeting, any member of the panel present at the meeting has a material interest in the matter under discussion shall:

- Disclose such interest;
- Neither influence nor seek to influence a decision to be made in relation to the matter;
- Absent himself or herself from the meeting when the matter is being discussed;
- Take no part in relevant deliberations;
- Refrain from voting on any relevant matters; and
- Not count for quorum purposes for that item only.

Relevant disclosures shall be recorded in the minutes of the meeting(s) concerned.

9.4 Members of the consultative panel will abide by the Authority's Code of Conduct.

9.5 Members of the consultative panel are required not to disclose third-party confidential information received by them while performing their duties, even after their duties have ceased.

## **10 EXPENSES**

10.1 The following allowances and expenses are payable by the Authority:

- (a) the travelling and subsistence allowances of panel members in accordance with such scales as may be determined from time to time by the Minister for Justice and Equality with the consent of the Minister for Public Expenditure and Reform;
- (b) the administrative expenses of the panel.

## **11 LEGAL ISSUES**

11.1 The consultative panel may request the Authority to seek legal advice where necessary on matters within its terms of reference.

## **12 GENERAL PROVISIONS**

12.1 These terms of reference and rules of procedure are approved by the Board of the Authority.

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