Applications pursuant to the Charities Acts 1961 and 1973 (as amended)

User Guide – Cy-Près Application

Use this form if you are making an application to settle a scheme applying charity property Cy-Près (as near as possible to the intentions of the original donor) under section 29 of the Charities Act 1961 (as amended).

To submit an application you must have a user account and be logged into 'MyAccount' (please see the Technical User Guide available on our website for more information about MyAccount). Once you are logged in, scroll to the end of the screen and click on the button titled 'Charity Services'. Then click on the button titled 'Cy-Pres Application'.

There are five sections to be completed in this form, in addition to the details of the filer in the Introduction section:

(1) Charity Details
(2) Deponent Details
(3) Cy-Près Details
(4) Attachments and
(5) Confirmation

IMPORTANT NOTE BEFORE YOU START:

The text which you enter in this form will create the **Statutory Declaration** relied upon in support of your application. As this is a sworn and witnessed document please ensure that it is accurate, coherent and contains sufficient detail for the purposes of the application.

Throughout the form you will see icons at some of the questions – the sample screenshot below explains what these icons mean:

Cy-Pres Application

Introduction [0]   **Charity Details [1]**   Deponent Details [2]   Cy-Pre

Any field marked with a red asterisk is mandatory.

Type of Cy-Pres *
- ◉ Will
- ◯ Winding Up
- ◯ Other

Beneficiary *
- ◯ Charity or Charities
- ◯ Unspecified in Will

The 'i' symbol indicates that there is further information available if you hold your mouse over it.

💾 Save Draft [a]   [m] ‹ Previous   Next › [n]

The 'Save Draft' option appears at the end of each section of the form and allows you to save your progress. (Note: there is no automatic save so we recommend that you save your draft regularly as you work through the form).

The details of the filer (i.e. the firm or company submitting the application) must be entered in the Introduction section.

You can enter the address or Eircode in the Search Address bar and then click the result to autofill the address. If there are a number of organisations operating from the same address you will need to click on the appropriate firm or company name from the list returned for that address. Alternatively, you can enter the full address manually.

Once the filer details are entered, you can then proceed to complete the remainder of the application form.

(1) Charity Details

In this section you must indicate the type of Cy-Près being sought and details of the beneficiary.

If you select 'Will' you will be required to enter the name, address, date of death and date of the grant of representation for the deceased.

If the beneficiary is a registered charity or charities, enter the required details and save. (If the charity is registered in the Republic of Ireland simply start to type the name of the charity or the registered charity number and the system will return a list of results for you to select from, click on the relevant one to populate the data into the field). Repeat this process until you have added all relevant charities.

If the beneficiary is not specified in the Will, you will need to enter full details from the description in the Will.

(2) Deponent Details

In this section you must enter the name, address and other details of the deponent (the deponent is the person who will swear the Statutory Declaration created on foot of the information provided).

You can enter the address or Eircode in the Search Address bar and then click the result to autofill the address. If the address is in an area with many non-unique addresses (such as a rural townland) you will need to enter the Eircode into the Search Address bar. Alternatively you can enter the full address manually.

(3) Cy-Près Details

In this section you must enter details of the proposed Cy-Près scheme, including its value.

The options which appear will depend on the type of Cy-Près previously selected.

- If it is a Will, then the value of the bequest and the Will details are required together with, when relevant, any extrinsic evidence concerning the intent or wishes of the testator not recorded in the Will.
- If it is a winding up, then details must be provided about the origins of the charity, the reasons for the winding up,the value of the charity property, or estimate of same, and details of its liabilities.
- If it is another reason, then details about the origin and operation of the charity and the reasons for the amendment are required.

(4) Attachments

In this section you must upload a copy of any relevant document(s).

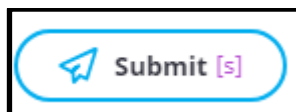Click on the 'Upload File' button and proceed to upload.

Please note that documents for upload must be in PDF format and less than 10mbs in size.

(5) Confirmation

This section provides a review of the application. At this point it is recommended that you preview the **Statutory Declaration** which will be generated prior to taking any further steps.
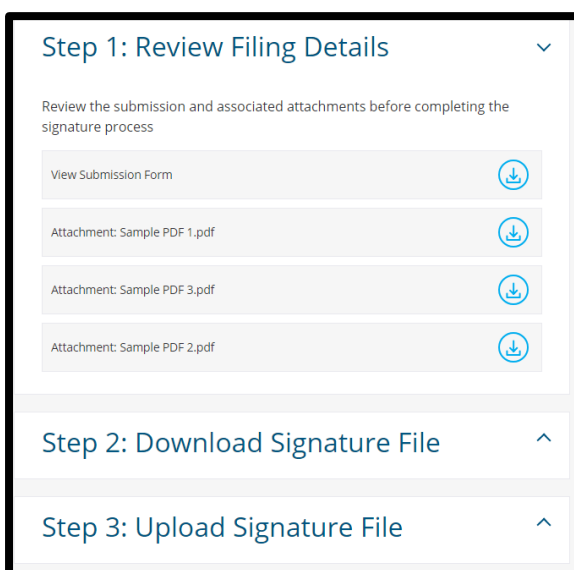
Click on [↓ Preview [p]] to open the document as a PDF, review the content and satisfy yourself that it is accurate, coherent and contains sufficient details. Do not edit the PDF. If you wish to make any amendments, return to the form, amend as required by working through the sections (tabs) and then preview it again.

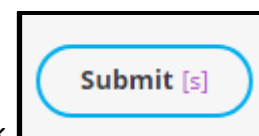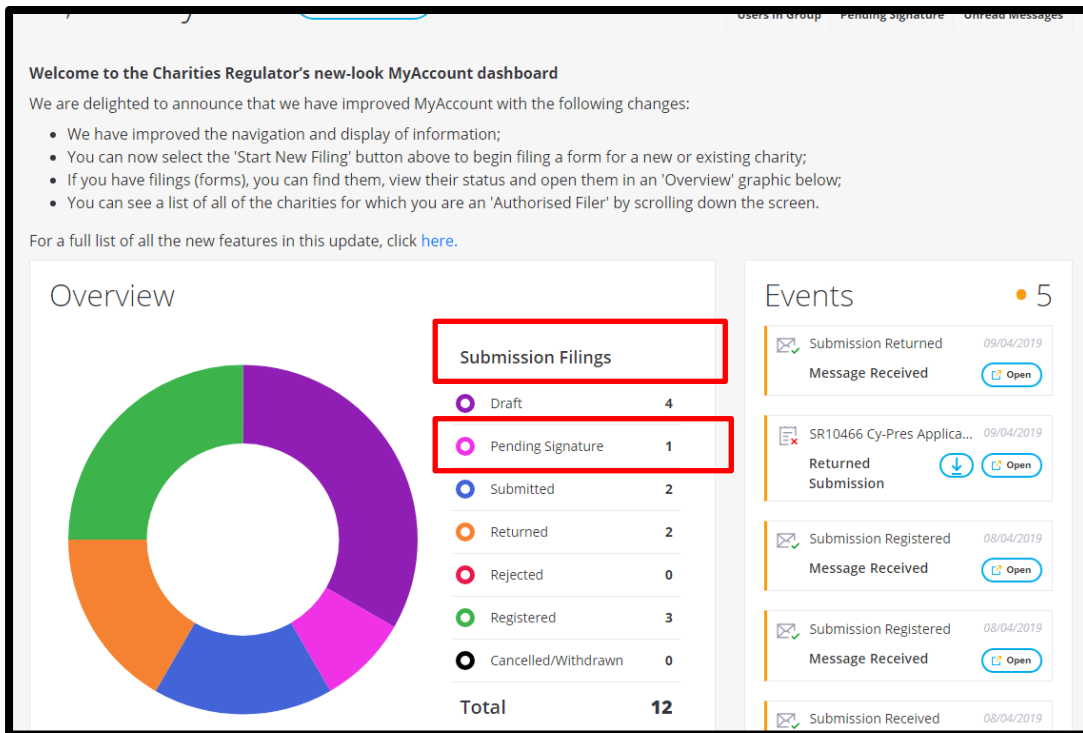Once you are satisfied, click [✈ Submit [s]] to finalise the application.

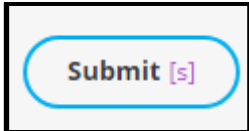**Please note: once you click on the 'Submit' button you cannot edit your application further.**

Once submitted, click on the button titled 'Proceed to Signature' to proceed to the next step.

Click on the 'Download Signature File' button (this is the **Statutory Declaration**), print it then have it signed and witnessed as appropriate. Scan it to PDF and once you are ready to upload it, click on 'Upload Signature File' to upload the signed version. (If there are multiple signed documents, these must be scanned into a single PDF for upload).

If you are not in a position to complete the upload immediately, you can access the upload option at a later stage via your dashboard, by selecting '**Pending Signature**' under the '**Submission Filings**' heading, see screen shot below.

Once you have uploaded the PDF of the **signed document**(s), click [Submit [s]] to submit the application to the Charities Regulator.

Please ensure to **post the original** signed Signature File (i.e. Statutory Declaration) to the Charities Regulator: Charity Services Unit, Charities Regulator, 3 George's Dock, IFSC, Dublin 1, D01 X5X0. The application cannot be progressed until the Charities Regulator has received the original Signature File (Statutory Declaration).