

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

User Guide – Application for Opinion or Advice under Section 21 of the Charities Act 1961 (as amended)

Use this form if you are making an application for opinion or advice under section 21 of the Charities Act 1961 (as amended). The Charities Regulator may advise trustees who have a difficulty in relation to the administration of a charitable trust, or Executors experiencing difficulty in administering a charitable devise or bequest under their control.

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 ‘Opinion or Advice’.

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

- (1) Details
- (2) Deponent Details
- (3) Attachments and
- (4) 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:

The screenshot shows a web form titled "New Trustees". At the top, it says "No New Trustees in this list". Below that is a section "Add New Trustees". The first field is "Type", which has a red asterisk and an information icon (a lowercase 'i' in a circle). Below "Type" are two radio buttons: "Individual" and "Organisation". A red bar labeled "Required" spans across the form. Below the "Required" bar are two buttons: "Save" (with a floppy disk icon) and "Cancel". The next field is "Location where Statutory Notice will be displayed", also marked with a red asterisk and an information icon. Below this field is a text input with the placeholder "Place in a public area". At the bottom left of the form is a "Save Draft" button with a floppy disk icon and a small '(a)' next to it. Three callout boxes provide explanations: 1. A box pointing to the red asterisk on "Type" says: "Any field marked with a red asterisk is mandatory." 2. A box pointing to the information icon on "Type" says: "The 'i' symbol indicates that there is further information available if you hold your mouse over it." 3. A box pointing to the "Save Draft" button says: "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 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) Details

In this section you must enter information relating to the charity or the Will on which you are seeking advice or opinion.

If a **charity** there is a search option – 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. You must then provide paragraphed particulars about the charity and the issue(s) requiring opinion or advice.

If it is a **Will** you are required to set out in succinct paragraphs the details of the Will, the charitable bequest(s) and issue(s) regarding administration. You must also provide specific details regarding the Deceased.

(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, or else enter the address manually, remembering to include the Eircode.


(3) Attachments

In this section you must upload a copy of the 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.

(4) Confirmation

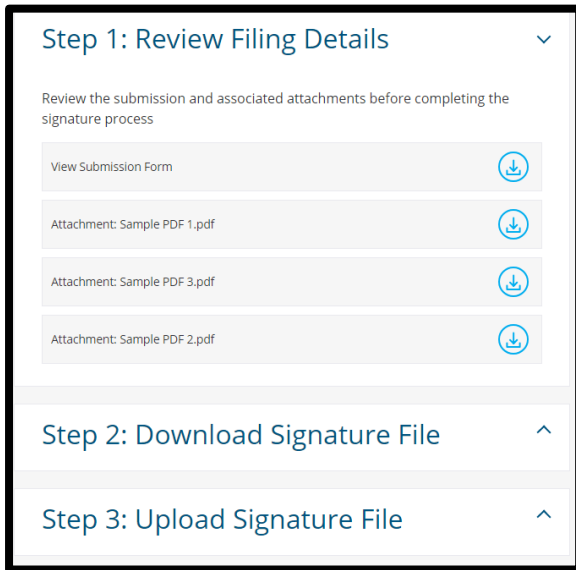
This section provides a review of the application. At this point it is recommended that you preview the **Statutory Declaration** which will be generated prior to taking any further steps.

Click on  to open it 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  to finalise the application.

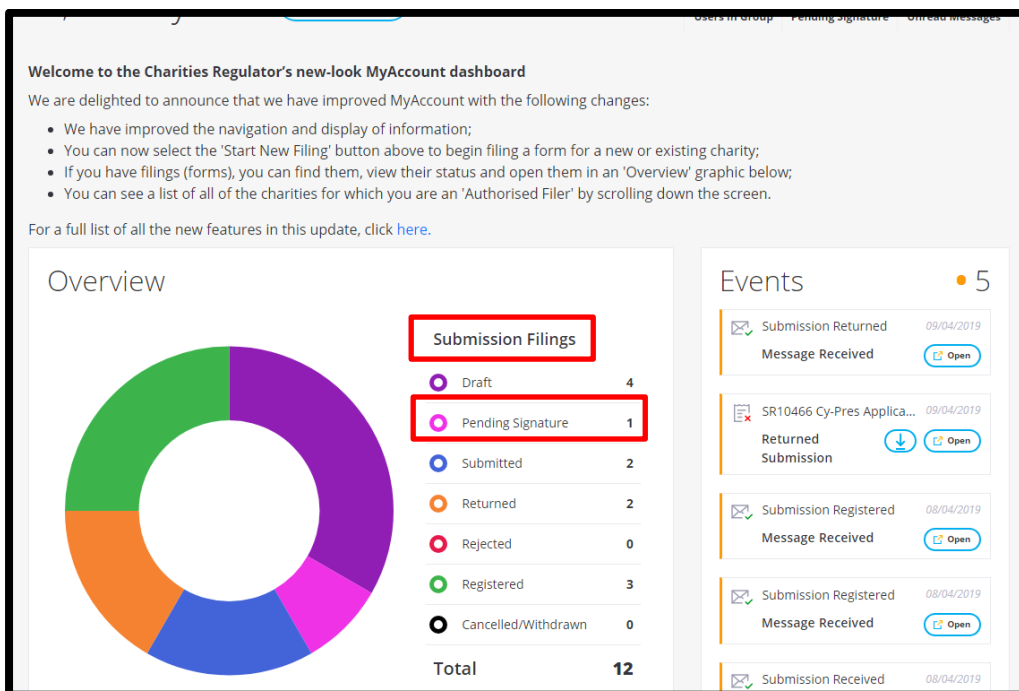
Please note: once you click on the 'Submit' button you cannot edit your application further.

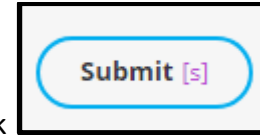
Once submitted, click on the button titled 'Proceed to Signature page' to proceed to the next step.



Download the Signature File (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 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).