

Response ID ANON-8D5Y-9Q3C-A

Submitted to Charities (Amendment) Bill - Call for Evidence
Submitted on 2026-09-08 10:19:58

Consent and introduction

What is your name?

Name:

[REDACTED]

What is your email address?

Email address box:

[REDACTED]

If you are providing a submission on behalf of an organisation, please state its name.

Organisation name box:

Fundraising Regulator

Please confirm you have read the Northern Ireland Assembly's Committee privacy notice by clicking the button below.

I have read the privacy notice

Do you consent to your submission being published on the Committee's website and included in the Committee's report?

Yes, publish in full.

General views on the Bill

Do you support the overall purpose of the Charities (Amendment) Bill?

Yes

Please explain your answer, including any areas where you believe the Bill should be amended.:

The Fundraising Regulator welcomes the opportunity to respond to the Committee for Communities call for evidence on the Charities (Amendment) Bill. We recognise the need to strengthen the legislative framework for the charity sector and endorse the creation of a framework that will remain fit for purpose in a changing and increasingly complex environment.

Independent Review and policy intent

Do you consider that the Bill gives appropriate effect to the relevant recommendations of the Independent Review of Charity Regulation in Northern Ireland?

Not Answered

Add further information to support your answer:

Are there any areas where the Bill goes too far, does not go far enough, or requires further clarification?

A textbox for adding comments:

Information sharing — Clause 2

Clause 2 would amend the Charity Commission's information-sharing powers. Are the proposed powers necessary, clear and proportionate?

Yes

Please add any additional information to support your answer:

The Fundraising Regulator strongly supports the proposed amendments detailed in Clause 2 which would allow the Charity Commission for Northern Ireland (CCNI) to share information with any body discharging: functions of a public nature and or regulatory functions relating to charities or fundraising.

This amendment would provide a framework where CCNI and the Fundraising Regulator can work effectively together to help prevent, detect and remedy misconduct or mismanagement in the administration of charities with regards to fundraising. It would enable collaboration at a strategic and operational level, fostering a common understanding of each organisation's respective responsibilities, working procedures, legal powers and constraints.

This would facilitate the effective investigation and assessment of fundraising issues and allow for collaborative research, helping to ensure that charities comply fully with their legal obligations and achieve good practice in governance and accountability.

Are any further safeguards, limits or reporting requirements needed?

Not Answered

Please add any additional information to support your answer:

Official warnings — Clause 3

Clause 3 would allow the Charity Commission to issue official warnings to charities, charity trustees or trustees for a charity. Do you consider this to be an appropriate and proportionate regulatory tool?

Yes

Please add any additional information to support your answer:

The Fundraising Regulator welcomes the amendments that relate to Clause 3 - official warnings. Official warnings to charities will help ensure fundraising is carried out, and is seen to be carried out, in a legal, open, honest and respectful way. An enabling regulatory framework that allows charities to be supported in improving governance when issues are found or helps identify actions that could constitute misconduct or mismanagement, is a valuable way to strengthen governance within charities and the resilience of the sector as a whole.

Are the proposed notice, representation, publication, variation and withdrawal arrangements sufficient, including in relation to reputational impact?

Not Answered

Please add any additional information to support your answer:

Strengthened regulatory powers — Clauses 4 to 6

Clauses 4 to 6 would strengthen the Commission's powers in relation to removal from office, directions that specified action must not be taken, and automatic disqualification. Are these powers clear, necessary and proportionate?

Yes

Please add any additional information to support your answer:

The amendments that relate to Clause 4 and 6 allowing CCNI to remove and disqualify a trustee following an inquiry would help to ensure that good governance in fundraising practice is being followed by those with ultimate responsibility for this public facing and trust dependent activity. This would support the promotion of good governance by removing individuals who pose a risk to charities and the public's trust and confidence in the sector.

Are the safeguards and appeal rights sufficient?

Not Answered

Please add any additional information to support your answer:

Accounting, audit and reporting requirements — Clauses 7, 8 and 10

Clauses 7, 8 and 10 would allow different accounting and reporting requirements for different classes of charity and would remove the requirement for independent examination of accounts for charities with gross annual income under £20,000. Do you support this approach?

Not Answered

Please add any additional information to support your answer:

As the department and CCNI work to introduce the new registration and reporting threshold, we would like to highlight some issues which could inadvertently impact public confidence in fundraising. As many of the smallest charities undertake limited fundraising activities, the risk to the public in this area is often low. However, a member of the public would only have an organisation's word that they are donating to a 'charity' should an organisation fall below the registration threshold and choose not to register. To ensure those charities continue to follow good practice, the Department for Communities, CCNI and the Fundraising Regulator should take a proactive approach to ensuring that all charitable organisations who fall below the registration threshold are aware of their responsibilities in relation to charity law and the code.

The Committee may also want to consider the inclusion of reporting requirements for large charities (with incomes over £1 million). This would be reflective of the reporting requirements for charities (with an income over £1 million) in England and Wales (soon to be increased to £1.5m with the new Charity SORP due to become effective on 30 September 2026, setting out revised financial reporting requirements).

These reporting requirements are set out in the Charities (Protection and Social Investment) Act 2016 UK and requires charities (in England and Wales) with an income of over £1 million to provide statements on specific areas of their fundraising in their annual report.

These statements cover key aspects of a charity's fundraising activity including:

- The approach taken to fundraising
- Whether the charity is subject to any regulation
- How they monitor fundraisers
- The number of complaints received; and
- Steps taken to make sure vulnerable people are protected.

Including these statements in the annual report means that charities can demonstrate that they are reporting in line with good practice. It also encourages openness and transparency and helps to build public trust in the charities' processes.

Reporting on all the requirements set out above is not only a legal duty for many charities in England and Wales, but is an effective way for any charity to explain their fundraising procedures (including complaints) and related activity to supporters and other key audiences.

What impact would this have on transparency, public confidence, administrative burden and small charities?

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Definition of gross income — Clause 9

Clause 9 would allow the Department to make regulations about what counts, or does not count, as charity income for the purpose of "gross income". What should be included or excluded from that definition?

A textbox for adding comments:

Non-Northern Ireland institutions — Clause 11

Clause 11 would repeal section 167 of the Charities Act (Northern Ireland) 2008 in relation to institutions operating for charitable purposes in or from Northern Ireland but established elsewhere. Do you agree with this approach?

Not Answered

Please add any additional information to support your answer:

What practical, regulatory or public confidence issues should the Committee consider?

A textbox for adding comments:

Delegated powers and Assembly scrutiny

Are the delegated powers in the Bill appropriate, including powers to make regulations on accounts, gross income, annual reports and annual returns?

Not Answered

Please add any additional information to support your answer:

Should any of these powers be subject to a higher level of Assembly scrutiny?

Not Answered

Please add any additional information to support your answer:

Impacts and suggested amendments

What impact would the Bill have on small, rural, community-based or volunteer-led charities, and are there any equality, human rights, data protection or rural needs issues the Committee should consider?

A textbox for adding comments:

Please identify any specific amendments you would suggest, including the relevant clause where possible.

A textbox for adding comments: