

## ARE YOU SOCIAL OR COMMUNITY GROUP OR A GROUP WITH A CHARITABLE INTENT?

### What is a group?

There are many definitions of a group. For example:

- “A group is a set of people, organisations, or things which are considered together because they have something in common”

(Source: [www.collinsdictionary.com](http://www.collinsdictionary.com) )

or

- “A collection of individuals who have regular contact and frequent interaction, mutual influence, common feeling of camaraderie, and who work together to achieve a common set of goals”.

(Source: <http://www.businessdictionary.com/definition/group.html> )

### What is a charity?

To pass the charity test and meet our registration requirements, your organisation must provide evidence that it:

- Operates in the Republic of Ireland.
- Exists for a charitable purpose(s).
- Promotes this charitable purpose(s) only.
- Carries out all activities to further this charitable purpose.
- Exists to benefit the public or a section of the public in Ireland, or elsewhere, through its charitable purpose(s).

and

- Is not an excluded body.

(Source: “What is a Charity” published on [www.charitiesregulatoryauthority.ie](http://www.charitiesregulatoryauthority.ie) )

### What might the difference between a Group and a Charity look like?

Based on the above definitions and explanations, there is a clear difference between wanting to be a group and wanting to be a charity. The “purpose” of what you want to do and how you propose to do it is very important. Consider the following examples.

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### Option 1

- You might wish to form a book club for people between the ages of 55 – 70 that will meet locally every two weeks to review a specific book. Those that wish to participate would either buy the book or rent it from their local library. Meetings could be in a community centre, a private home, a hotel room etc. Those involved might pay €3 pp each time they meet to support expenses such as tea / coffee / refreshments, room hire etc. The group might form a small committee to support the development of the group and manage the finances.

This group is formal in that it proposes to meet regularly. It relies on the support and contribution of everyone that wants to participate with people free to come and go as they please with no geographic restrictions. The benefit derived from the group is personal to everyone that participates. It's about comradery and enjoyment.

### Option 2

- You have identified a **specific** need in **your** community. There are people, male and female in your geographic area between the ages of 55 – 70 that are living on their own having either lost their spouse or been single throughout their adult life. The economic profile of the area is such that the people you wish to target do not have a high degree of disposable income and spend their income primarily on living expenses. Buying books to read is a luxury they cannot afford. There are associated issues of social isolation, mental health and general wellbeing. You and friends meet and decide that you want to address this social issue. You decide to form a group with the following objectives:
  - a. Form a committee to oversee the workings of the group.
  - b. Develop a constitution (governing document) to govern how you will operate and deliver your stated purpose.
  - c. You propose to make an application to the Charities Regulatory Authority to become a recognised charity.
  - d. You agree that each of you will contribute €100 towards the start-up costs of the group.
  - e. The group will buy, rent or encourage people to donate books that in turn will be lent free of charge to the people in the target group in that specific geographic area.

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- f. The books will be delivered to the target group by volunteers on a door-to-door basis every second Saturday, thus removing any barriers to accessing the service.
- g. Books that have been read will be returned and made available to others during the door-to-door drop off / collection process.
- h. The group intends to finance operations through the initial contributions of the committee members supported by fundraising from public, public donations, sponsorships and grant applications.
- i. As part of a longer-term vision, the group hopes to open a second-hand book store, staffed by volunteers, which will sell books at a nominal cost to members of the public with the monies generated to be used to further the main purpose of the group.

You can begin to see that **Option 2** above is beginning to answer many of the questions that are described in the “*What is a Charity*” guide published by the Charities Regulatory Authority which has a specific section on “purpose” and discusses “purpose” in the following manner:

- *“Your organisation’s ‘purpose’ is what it is set up to achieve. This purpose is usually set out in the ‘objects clause’ of your organisation’s governing document. This purpose should concisely describe **what** outcomes the charity is set up to achieve, **how** it will achieve these outcomes, **who** will benefit from these outcomes and **where** the benefits will be felt”. Source: [www.charitiesregulatoryauthority.ie](http://www.charitiesregulatoryauthority.ie)*

#### **Charities Act 2009**

The Charities Act 2009 sets out specific categories of charitable purposes which fall into one of the following categories:

- a. The prevention or relief of poverty or economic hardship
- b. The advancement of education
- c. The advancement of religion
- d. Any other purpose that is of benefit to the community.

\*Your **Option 2** has links to (a) and (b) but is probably most suited to category (d). You do not propose to address a need in your community which is linked to eradicating poverty or alleviating hardship nor is your stated purpose about the advancement of education. You do however, wish to provide a benefit to a specific cohort of the public in your local community that are marginalised in a very specific way.

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**\*Note:** The example of Option A v Option B is for illustration purposes only and shows how a Book Club can serve different purposes i.e. act as a social outlet on the one hand and provide a very specific public benefit on the other. This example should help you to evaluate the reasons that your own group exists, or proposes to exist, and will help you in identifying the associated structures and supports you require. This example must not be used as a basis for determining if an application for charitable status made to the Charities Regulatory Authority will succeed or not. In making such a determination, the Charities Regulatory Authority has a detailed application process and until you submit your application and provide all the information they require, you will not know if your group qualifies / will be approved as a registered charity as per the definition contained in the Charities Act 2009. In making an application to the Charities Regulatory Authority, you should consider seeking professional advice and support.

## Reference

*What is a Charity?* Issued by the Charities Regulatory Authority [www.charitiesregulatoryauthority.ie](http://www.charitiesregulatoryauthority.ie)

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