

**Registration decision: Fulbright New Zealand Alumni
Association Incorporated
(FUL39016)**

The facts

1. Fulbright New Zealand Alumni Association Incorporated ("the Applicant") was incorporated under the *Incorporated Societies Act 1908* on 19 October 2009.
2. The Applicant applied to the Charities Commission ("the Commission") for registration as a charitable entity on 7 September 2010.
3. Clause 3 of the Applicant's rules document sets out the purposes of the society as:

The primary object of the Association is:

- 3.1 *To celebrate and promote international educational exchange under the Fulbright and associated international educational exchange programmes.*

The secondary objects of the Association are:

- 3.2 *To promote and further the interests of the Fulbright and associated international educational exchange programmes in New Zealand;*
- 3.3 *To furnish a means to connect Fulbright and associated international educational exchange programmes alumni with each other;*
- 3.4 *To promote and support the mission of Fulbright New Zealand;*
- 3.5 *To support and promote the interests of current Fulbright and associated international educational exchange programmes grantees;*
- 3.6 *To raise public awareness of the aims and ideals of the Fulbright programme;*
- 3.7 *To arrange events and activities of varying kinds that will facilitate connection and networking among Fulbright and associated international educational exchange programmes alumni;*
- 3.8 *To offer a means of coordinating the Fulbright and associated international educational exchange programmes alumni in New Zealand by maintaining an up-to-date database of Association members and a website;*

- 3.9 *To coordinate NZ Fulbright and associated international educational exchange programmes alumni in welcoming, sharing with and supporting current US and NZ grantees;*
 - 3.10 *To communicate up-to-date information to members including regular contributions to the Fulbright Quarterly;*
 - 3.11 *To promote and support contact between Fulbright and associated international educational exchange programmes alumni and grantees at a regional level;*
 - 3.12 *To provide professional and personal opportunities for current grantees to participate in events and activities beyond the region in which they are studying;*
 - 3.13 *To raise awareness of the Fulbright and associated international educational exchange programmes in schools and universities;*
 - 3.14 *To generally promote and support Fulbright New Zealand in its objectives and raise awareness of these objectives.*
4. The application was analysed by the Commission and on 16 September 2010, the Commission sent the Applicant a letter requesting further information about its activities.
 5. On 7 March 2011, the Commission sent the Applicant a notice that may lead to a decline on the basis that the Applicant had not responded to its letter of 16 September and the purposes contained in clause 3 were not sufficiently clear to determine that the Applicant was established and maintained exclusively for charitable purposes.
 6. On 24 March 2011, the Commission was notified that a letter dated 20 September 2010 had been received regarding the activities of the Applicant. The Applicant stated:
 - (i) *Activities of the entity at the time at which the application was made:*
Activities currently include:
 - *Airport meetings and home-hosting for incoming US Fulbright grantees to New Zealand;*
 - *Alumni gatherings and events that include welcoming incoming and returning Fulbright grantees; networking activities that include barbecues, dinners, meetings etc for alumni and grantees and small group "friendship" dinners involving alumni and grantees.*
 - *Presenting major public seminars and lectures that share the expertise of Fulbright alumni.*
 - *Electronic networking of alumni and newsletters.*
 - *A fundraising initiative by current US Fulbright grantees for the Canterbury earthquake appeal.*
 - (ii) *The proposed activities of the entity.*
The 2010 – 2011 Alumni Outreach strategy includes;
 - *Extending the programme of welcoming and home hosting of US grantees in New Zealand.*
 - *Continuing and extending all the current activities referred to above.*

- *Formally instituting high quality annual public Fulbright lectures in partnership with the universities in six regions.*
 - *Extending seminars/lectures etc that will provide alumni with opportunity to "give back" to the community their expertise and experience gained through Fulbright scholarships.*
- (iii) *Any other information considered relevant.*
The focus of the Fulbright New Zealand Alumni Association is on providing opportunities for alumni to "give back" in return for what they have gained on their Fulbright Scholarships and thereby celebrate and promote international educational exchange under the Fulbright and associated NZ-US educational exchange programmes. The Fulbright Programme was established in New Zealand in 1948 under Senator Fulbright's post-war vision "to bring a little more knowledge, a little more reason, and a little more compassion into world affairs and thereby to increase the chance that nations will learn to live in peace and friendship."

7. On 24 March 2011, the Commission sent the Applicant a notice that may lead to a decline on the basis that its purposes were not exclusively charitable.
8. The Applicant responded to the notice that may lead to a decline on 29 April 2011, stating:

We believe that the Association provides education to members and the general public by providing opportunities to share the research and work of Fulbright alumni, which should qualify the Association for charitable status under the Charities Act.

Purpose of the Association

We understand that to be a charitable entity, an organisation's purpose must -

- *provide some form of education; and*
- *ensure learning is passed to others.*

The primary purpose of the Association (stated in the Association's constitution) is to celebrate and promote international educational exchange under the Fulbright and associated international exchange programmes. This purpose underlies our very existence and all of our activities.

The primary purpose of the Association is intended to enhance the vision of US Senator William Fulbright when he established the Fulbright programme in 1946. He believed the Fulbright programme could play an important role in building a lasting world peace in the aftermath of World War II. In Senator Fulbright's words, "the programme aims ... to bring a little more knowledge, a little more reason, and a little more compassion into world affairs and thereby to increase the chance that nations will learn at last to live in peace and friendship."

The Association's website contains a statement by Harriet Fulbright (Senator William Fulbright's wife) made in Wellington in August 2002 - "I am convinced that the underlying reason for William Fulbright's hard work on the exchange programme was not only for peace but to lay the

groundwork for a worldwide network of intelligent and dedicated leaders to deal with world issues together".

The Association's constitution also contains the following objectives that will be pursued in support of the overall purpose of celebrating and promoting international educational exchange:

- to promote and support the mission of Fulbright New Zealand;
- to support and promote the interests of current Fulbright and associated international educational exchange programme grantees; and
- to raise public awareness of the aims and ideals of the Fulbright programme.

Activities of the Association

You have commented that the activities displayed on the website indicate a weighting towards networking and social activities.

The brief listing of events on the website does not give the full picture of the purpose of these events, what occurred, who the speakers were, who was invited, or who attended. Nor does the website give a picture of how these events have developed into other initiatives to share the insights gained through international educational exchanges. For example:

- The three public lectures by Dr Jon Johansson in Wellington, Auckland and Palmerston North have now led to negotiations with six universities for annual, high quality Fulbright lectures in each region. These lectures addressed the views on the Obama administration that Dr Johansson gained through his Fulbright experience (at Georgetown University in Washington, DC), providing a valuable education in political economy to about 500 attendees around the country.
- "SHIPWRECKED! An Entertainment" showcased the work of a Fulbright alumnus Gareth Farr. The evening included the audience (including the public) engaging in a post-performance presentation and discussion on Gareth's work, providing an ideal forum to learn from his experience in the arts at Eastman School of Music and University of Michigan. The event was inspired by Gareth Farr and Susana Lei'ataua (a Fulbright alumna) twice presenting their work *Breaking the Surface* to the public of Wellington. They had developed this work together during Susana's Fulbright exchange to New York in 2009.
- The welcomes to incoming US grantees may appear to be of a social nature, but they have led to the development of a full alumni homestay programme for US grantees on arrival in New Zealand and ongoing support for these visitors studying in New Zealand.

Members of the Association also provide support to fellow alumni involved in public endeavour. These events are often not included on the website but are made known to members through the newsletter (a recent newsletter is enclosed). For example:

- Alumni support frequent public presentations by Ian Axford Fellows, Harkness Fellows and US Senior Scholars to share the findings of their research;
- Alumni provide support for fellow alumni presenting public lectures throughout the country eg Sir Allan Mark's current Charles Fleming New Zealand Lecture Tour;

- Alumni provided support for a recent lecture by a Fulbright alumnus with specialist expertise in earthquakes; and
- Alumni have been invited to support an alumnus who is New Zealand Director of World Mentor as part of a mentoring programme for young people.

The Association's 2010-2011 Alumni Outreach Strategy includes the following benchmarks:

- Establish high profile, public Fulbright lectures in each region. Following the success of Dr Jon Johansson's public lectures in 2010, negotiations are currently in progress with universities in the six regions to establish annual public Fulbright lectures.
- Initiate at least one alumni/member-arranged event in each region promoting the notion of "giving back." This will be a major focus of a national consultation programme in all regions between April and July 2011. The Association has formed a partnership with the Cognition Institute to pilot two "thought leaders" forums. The pilots involve five Fulbright alumni, five teachers, a researcher providing a "thought starter" and student and community representatives in conversations on topics that fit Cognition's work in identifying gaps in education policy. The findings will be placed on websites for wider discussion and debate including the State Alumni that has a global audience. The pilots will be evaluated and a template developed that alumni can use as a model for engaging with professionals and the public on matters of importance in any field.
- Set up a structure for a hosting and hospitality service for US grantees. In February 2011, alumni provided homestays for seven incoming US grantees on arrival in New Zealand for 5+ nights each and a further 11 one night homestays as part of the grantees' orientation. The homestays were provided at no cost to the grantees. This built on a pilot homestay programme in 2010 that resulted in ongoing support and contact with grantees by their host families for the year they were in New Zealand.
- The Association has worked with the Sir Peter Blake Trust towards contributing alumni expertise to Leadership Week. The first Association-arranged event is a public leadership lecture by an alumnus at the University of Auckland in Leadership Week (July). Other alumni initiatives are expected to develop.

Our Association is membership-driven, but remains committed to promoting education to a much wider public audience. For this reason, we balance small member-only events (invitation to which is a "perk" of paid membership) with open, free, public events of an educational nature. In fact, many of the non-public member events have been called to engage and motivate members and facilitate planning for future activities and greater public engagement - they are not merely social gatherings.

In summary, the activities organised and supported by the Association are directed towards its purpose of promoting international educational exchange. The activities provide valuable education to members and the general public on the research and work of Fulbright alumni, and ensure that their learning is passed to others.

9. Accompanying the letter of 29 April 2011 was a copy of the Applicant's March 2011 newsletter and an information brochure. The brochure states:

FULBRIGHT NEW ZEALAND ALUMNI ASSOCIATION INC (FNZAA)
CELEBRATING international educational exchange through:
CONNECTING alumni with each other
SUPPORTING grantees and the mission of Fulbright New Zealand
RAISING AWARENESS of the aims of the Fulbright and associated programmes

MEMBERSHIP OF THE FNZAA PROVIDES OPPORTUNITIES:

In New Zealand to:

- Meet and share with other alumni
- Provide hospitality and support to current grantees
- Attend a range of activities arranged for alumni
- Receive invitations from other professional organisations
- Initiate and present and/or arrange lectures, seminars, projects etc
- Share your experience and expertise with other alumni and the public
- Receive regular alumni newsletters
- Provide support to Fulbright New Zealand administered and US Government exchange programmes
- Access the Association's online sites (website, Flickr, Facebook)

Globally to:

- Register with State Alumni with access to alumni globally
- Participate in on-line presentations with global alumni
- Access the State Alumni database and its vast resources
- Establish links with alumni associations globally

The FNZAA is managed by alumni, for alumni and seeks to be alumni driven

INVITATION TO BE A MEMBER

Full membership of the FNZAA is open to;

- alumni of New Zealand–United States educational or cultural exchanges administered by Fulbright New Zealand ie Fulbright or Fulbright–Hays Awards and Ian Axford, Eisenhower, Kennedy and Harkness Fellowships, or
- alumni of similar or related programmes operated under the auspices of the United States Government including the International Visitor Leadership Programme (IVLP) and Voluntary Visitor Programme.

Associate membership is open to any person who support Senator Fulbright's vision for international educational exchange and the mission of Fulbright New Zealand.

Corporate/Organisation membership is open to any company or organisation that supports Senator Fulbright's vision for international educational exchange and supports the mission of Fulbright New Zealand.

...

ACTIVITIES INCLUDE

- Social/networking activities
- Inspiration/professional growth activities
- Engaging with the public
- Welcoming/home hosting
- Engaging with alumni globally

The issue

10. The issue the Commission must consider is whether the Applicant meets all of the essential requirements for registration under the *Charities Act 2005* ("the Act"). In this case, the key issue for consideration is whether the Applicant is a society or institution established and maintained exclusively for charitable purposes and not carried on for the private pecuniary profit of any individual, as required by section 13(1)(b) of the Act.

The law on charitable purposes

11. Under section 13(1)(b) of the Act a society or institution must be established and maintained exclusively for charitable purposes and not carried on for the private pecuniary profit of any individual.

12. Section 5(1) of the Act states:

"charitable purpose includes every charitable purpose, whether it relates to the relief of poverty, the advancement of education or religion, or any other matter beneficial to the community."

13. In addition to being within one of the categories of charitable purpose, to be charitable at law, a purpose must also be for the public benefit.¹ This means that the purpose must be directed to benefit the public or a sufficient section of the public.
14. Section 5(3) of the Act provides that the inclusion of a non-charitable purpose will not prevent qualification for registration if it is merely ancillary to a charitable purpose.
15. In considering an application, section 18(3)(a) of the Act requires the Commission to have regard to:
 - i) the activities of the entity at the time at which the application was made; and
 - ii) the proposed activities of the entity; and
 - iii) any other information that it considers is relevant.

¹ Accepted as common ground in *Latimer v Commissioner of Inland Revenue* [2002] 3 NZLR 195, para [32].

Charities Commission's analysis

16. The Commission has analysed the purposes set out in clause 3 of the Applicant's rules document, information supplied by the Applicant, information available on the Applicant's website, and the relevant case law.
17. The Commission does not consider that the Applicant's stated purposes indicate an intention to relieve poverty or advance religion. Accordingly, these purposes have been assessed under the advancement of education and "any other matter beneficial to the community".

Advancement of education

18. In order for a purpose to advance education, it must provide some form of education and ensure that learning is advanced. The modern concept of "education" covers formal education, training and research in specific areas of study and expertise. It can also include less formal education in the development of individual capabilities, competencies, skills, and understanding, as long as there is a balanced, and systematic process of instruction, training, and practice.²

19. In New Zealand in the case of *Re Collier (deceased)*,³ Hammond J set out the test for determining whether the dissemination of information qualified as charitable under the head of advancement of education:

It must first confer a public benefit, in that it somehow assists in the training of the mind, or the advancement of research. Second, propaganda or cause under the guise of education will not suffice. Third, the work must reach some minimal standard. For instance, in Re Elmore, deceased [1968] VR 390 the testator's manuscripts were held to be literally of no merit or educational value.⁴
[Emphasis added]

20. In *Re Draco Foundation (NZ) Charitable Trust*,⁵ the New Zealand High Court held that the mere provision of useful information on a website, without "any independent educational value",⁶ was not charitable under advancement of education.
21. In *Briarpatch Inc v R*,⁷ the Federal Court of Appeal in Canada found that the publication of a monthly newsletter did not fall within the advancement of education because it was not directed toward the training of the mind through structured analysis or presentation of knowledge.

² *Re Mariette* [1915] 2 Ch 284. See also *Chesterman v Federal Commissioner of Taxation* (1923) 32 CLR 362; *Lloyd v Federal Commissioner of Taxation* (1955) 93 CLR 645; *Chartered Insurance Institute v London Corporation* [1957] 1 WLR 867; *Flynn v Mamarika* (1996) 130 FLR 218.

³ [1998] 1 NZLR 81.

⁴ [1998] 1 NZLR 81, 91-92.

⁵ HC WN CIV 2010-485-1275 [15 February 2011].

⁶ HC WN CIV 2010-485-1275 [15 February 2011] para 41.

⁷ [1996] 2 CTC 94; (1996) 96 DTC 6294.

22. In order to advance education, learning must be passed on to a broad section of the public.⁸ In *Re Mason*,⁹ the Supreme Court made a distinction between charitable institutions whose main object was the advancement of education that provided a clear public benefit, and non-charitable institutions whose main object was to advance education for a limited group of individuals.
23. More recently, in *Canterbury Development Corporation v Charities Commission*,¹⁰ Justice Ronald Young J stated:

I do not consider this service comes within the provision of the enhancement of education as intended by the Act. To be a charitable purpose it must provide this opportunity to a broad section of the public.

24. The Commission has registered the Fulbright New Zealand Trust (Incorporated) (CC25714) and the following entities which appear to be "associated international educational exchange programmes":
- John F Kennedy Memorial Fund (CC27241)
 - New Zealand Harkness Fellowships Trust Incorporated (CC27704)
 - The Ian Axford (New Zealand) Fellowships in Public Policy Trust Incorporated (CC36721).
25. The Commission considers that to the extent that the primary purpose in clause 3.1 promotes international educational exchange programmes such as those operated by the Fulbright New Zealand Trust (Incorporated) and the other three entities listed above, this is likely to be charitable under the advancement of education.
26. Similarly the secondary purposes in the following clauses are likely to be charitable under the advancement of education because they will provide support for educational exchange programmes:

3.2 *To promote and further the interests of the Fulbright and associated international educational exchange programmes in New Zealand; . . .*

3.4 *To promote and support the mission of Fulbright New Zealand; . . .*

3.6 *To raise public awareness of the aims and ideals of the Fulbright programme; . . .*

⁸ See *Canterbury Development Corporation v Charities Commission* HC WN CIV 2009-485-2133 [18 March 2010]; *Re New Zealand Computer Society Incorporated* HC WN CIV-2010-485-924 [28 February 2011].

⁹ [1971] NZLR 714, 721.

¹⁰ HC WN CIV 2009-485-2133 [18 March 2010].

- 3.9 *To coordinate NZ Fulbright and associated international educational exchange programmes alumni in welcoming, sharing with and supporting current US and NZ grantees; . . .*
- 3.13 *To raise awareness of the Fulbright and associated international educational exchange programmes in schools and universities;*
- 3.14 *To generally promote and support Fulbright New Zealand in its objectives and raise awareness of these objectives.*

27. The Commission has then proceeded to assess the primary purpose in relation to celebrating international educational exchange in clause 3.1 and the remaining secondary purposes:

- 3.3 *To furnish a means to connect Fulbright and associated international educational exchange programmes alumni with each other; . . .*
- 3.5 *To support and promote the interests of current Fulbright and associated international educational exchange programmes grantees; . . .*
- 3.7 *To arrange events and activities of varying kinds that will facilitate connection and networking among Fulbright and associated international educational exchange programmes alumni;*
- 3.8 *To offer a means of coordinating the Fulbright and associated international educational exchange programmes alumni in New Zealand by maintaining an up-to-date database of Association members and a website; . . .*
- 3.10 *To communicate up-to-date information to members including regular contributions to the Fulbright Quarterly;*
- 3.11 *To promote and support contact between Fulbright and associated international educational exchange programmes alumni and grantees at a regional level;*
- 3.12 *To provide professional and personal opportunities for current grantees to participate in events and activities beyond the region in which they are studying;*

28. Applying the case law set out above, the Commission does not consider that the above clauses will restrict the Applicant to carrying out "training of the mind" or "a systematic process of instruction, training and practice" for a broad section of the public. The purposes in clauses 3.3, 3.5, 3.7, 3.8, 3.10, 3.11, and 3.12 and celebrating international educational exchange in clause 3.1 are therefore not charitable under the advancement of education.

Other matters beneficial to the community

29. In order for a purpose to qualify as “any other matter beneficial to the community”, the purpose must be beneficial to the community and must be within the spirit and intendment of the purposes set out in the Preamble to the *Charitable Uses Act 1601* (the Statute of Elizabeth):¹¹
- relief of aged, impotent, and poor people
 - maintenance of sick and maimed soldiers and mariners
 - schools of learning
 - free schools and scholars in universities
 - repair of bridges, ports, havens, causeways, churches, sea banks, and highways
 - education and preferment of orphans
 - relief, stock or maintenance of houses of correction
 - marriage of poor maids
 - supportation, aid and help of young tradesmen, handicraftsmen, and persons decayed
 - relief or redemption of prisoners or captives and
 - aid or ease of any poor inhabitants concerning payment of fifteens, setting out of soldiers and other taxes.¹²
30. The benefits must be to the community rather than to private individuals. Any private benefits arising from the Applicant’s activities must only be a means of achieving an ultimate public benefit and therefore be ancillary or incidental to it. It will not be a public benefit if the private benefits are an end in themselves.¹³ In addition, proof that public benefit will necessarily flow from each of the stated purposes is required, not merely a belief that it will or may occur.¹⁴
31. In *Inland Revenue Commissioners v Baddeley*,¹⁵ the court held that providing amusement, entertainment or social activities for members of an entity are not primary purposes that will necessarily provide a public benefit.

¹¹ *Re Jones* [1907] SALR 190, 201; *Williams Trustees v Inland Revenue Commissioners* [1947] AC 447, 455; *Scottish Burial Reform and Cremation Society v Glasgow Corporation* [1968] AC 138, 146–48; *Incorporated Council of Law Reporting (QLD) v Federal Commissioner of Taxation* (1971) 125 CLR 659, 667, 669; *Royal National Agricultural and Industrial Association v Chester* (1974) 48 ALJR 304, 305; *New Zealand Society of Accountants v Commissioner of Inland Revenue* [1986] 1 NZLR 147, 157; *Re Tennant* [1996] 2 NZLR 633, 638.

¹² *Charitable Uses Act 1601* 43 Elizabeth I c. 4.

¹³ *Inland Revenue Commissioners v Oldham Training and Enterprise Council* (1986) STC 1218; *Travel Just v Canada Revenue Agency* 2006 FCA 343 [2007] 1 CTC 294.

¹⁴ *Gilmour v Coats* (1949) AC 26; *Re Blyth* [1997] 2 Qd R 567, 582; *DV Bryant Trust Board v Hamilton City Council* [1997] 3 NZLR 342, 350.

¹⁵ [1955] AC 572, 600. See also *Inland Revenue Commissioners v City of Glasgow Police Athletic Association* [1953] AC 380, 394–396.

32. The Applicant's purposes in clauses 3.3, 3.5, 3.7, 3.8, 3.11, and 3.12 refer only to benefits for alumni and grantees of Fulbright and associated international educational exchange programmes. The Commission does not consider that these purposes show an intention to provide a public benefit for the community.
33. In addition the Commission does not consider that facilitating connections and networking among alumni, supporting contact between alumni and grantees, and promoting the interests of current grantees are analogous to the spirit and intendment of any of the purposes listed in the Statute of Elizabeth. The purposes in clauses 3.3, 3.5, 3.7, 3.8, 3.11, and 3.12 are therefore not charitable under "other matters beneficial to the community".

Applicant's submissions

34. In its letter of 29 April 2011 the Applicant has stated:

Activities of the Association

You have commented that the activities displayed on the website indicate a weighting towards networking and social activities.

The brief listing of events on the website does not give the full picture of the purpose of these events, what occurred, who the speakers were, who was invited, or who attended. Nor does the website give a picture of how these events have developed into other initiatives to share the insights gained through international educational exchanges.

35. The Commission notes that courts have expressed considerable scepticism about the appropriateness of defining the purpose of an entity by reference to any potential downstream benefits. For example, in *Amateur Youth Soccer Association v Canada (Revenue Agency)*¹⁶ Rothstein J held:

*The fact that an activity or purpose happens to have a beneficial by-product is not enough to make it charitable. If every organisation that might have beneficial by-products, regardless of its purposes, were found to be charitable, the definition of charity would be much broader than what has hereto for been recognised in the common law.*¹⁷

36. In its letter of 29 April 2011 the Applicant has also stated:

Our Association is membership-driven, but remains committed to promoting education to a much wider public audience. For this reason, we balance small member-only events (invitation to which is a "perk" of paid membership) with open, free, public events of an educational nature. In fact, many of the non-public member events have been called to engage

¹⁶ (2007) 287 DLR (4th) 4 (SCC).

¹⁷ (2007) 287 DLR (4th) 4 (SCC) at 22; quoted with approval by Joseph Williams J in *Travis Trust v Charities Commission* HC Wellington CIV-2008-485-1689 3 December 2008 at para 32. See also *Re New Zealand Computer Society Inc* HC WN CIV-2010-485-924 [28 February 2011].

and motivate members and facilitate planning for future activities and greater public engagement - they are not merely social gatherings.

37. The Commission notes that in order to meet registration requirements an applicant must have exclusively charitable purposes. As set out under "Advancement of education" and "Other matters beneficial to the community" above the Commission considers that the Applicant has both charitable and non-charitable purposes. The Applicant has not satisfied the Commission that its non-charitable purposes are ancillary to its charitable purposes and that these are not independent purposes.

Conclusion

38. The Commission considers that the Applicant's purposes set out in clause 3.1 in relation to promoting international educational exchanges, and clauses 3.2, 3.4, 3.6, 3.9, 3.13, and 3.14 are charitable. However, the purposes set out in clause 3.1 in relation to celebrating international educational exchanges, and clauses 3.3, 3.5, 3.7, 3.8, 3.10, 3.11, and 3.12 are non-charitable for the reasons stated above.

Charities Commission's determination

39. The finding of the Commission is that the Applicant has failed to meet an essential requirement for registration as a charitable entity in that it is not established and maintained exclusively for charitable purposes, as required by section 13(1)(b) of the Act.

For the above reasons, the Commission declines the Applicant's application for registration as a charitable entity.

Signed for and on behalf of the Charities Commission



Trevor Garrett
Chief Executive

28 / 10 / 11
Date