

ORDINANCE OF THE CHIEF PLEAS

ENTITLED

The Charities and Non Profit Organisations (Registration) (Sark) (Amendment) Ordinance, 2011

THE CHIEF PLEAS OF SARK, in pursuance of their Resolution of the 19th day of January, 2011, and in exercise of the powers conferred upon them by section 10(1) of the Charities and Non Profit Organisations (Registration) (Sark) Law, 2010^a and of all other powers enabling them in that behalf, hereby order:-

Amendment of the Schedule of the Law.

1. After paragraph 12 of the Schedule to the Law insert the following paragraph -

"Administrative penalties.

12A. (1) The Registrar may, in his discretion, impose upon a non profit organisation the penalties detailed in this paragraph.

(2) The Registrar may impose upon a non profit organisation the financial penalties specified in the second column of the Penalties Table below ("**the Penalties Table**") which shall be payable to the Registrar by the non profit organisation upon or in relation to the event, circumstance or matter specified in the first column of the Table, and where the penalty refers to a period of a month or more, the amount of the fine shall be cumulative and it shall be calculated in accordance with subparagraph (3).

^a Order in Council No. VI of 2010.

Penalties Table

<u>Event, circumstance or matter</u>	<u>Penalty</u>
Failure to register in accordance with paragraph 2	£500
Failure to renew registration in accordance with paragraph 5 -	
(i) First calendar month or part thereof,	£20
(ii) Second calendar month or part thereof,	£40
(iii) Each subsequent calendar month or part thereof.	£80
Failure to file annual financial statements in accordance with paragraph 8 -	
(i) First calendar month or part thereof,	£20
(ii) Second calendar month or part thereof,	£40
(iii) Each subsequent calendar month or part thereof.	£80
Failure to respond to request for information made under paragraph 9 -	
(i) First calendar month or part thereof,	£0
(ii) Second calendar month or part thereof,	£0
(iii) Each subsequent calendar month or part thereof.	£10

(3) A financial penalty, imposed in accordance with subparagraph (2), is payable in respect of each month or part of a month between the date by which the non profit organisation should have renewed registration, filed annual financial statements or (as the case may be) responded to the request for information and the date when it in fact did so ("**the period of default**").

(4) Any penalty imposed under this paragraph is without prejudice to any other power, penalty, sanction or remedy (criminal, civil or administrative) provided for by or under this Law.

(5) The Committee may by regulation amend the Penalties Table.

(6) For the purpose of this paragraph "**month**" means calendar month calculated from the beginning of the first day of the period of default (and for the avoidance of doubt if a month starts at the end of a month of the calendar which contains more days than the next month of the calendar, the month expires at the end of that next month of the calendar)."

Interpretation.

2. In this Ordinance "**the Law**" means the Charities and Non Profit Organisations (Registration) (Sark) Law, 2010, as amended.

Citation.

3. This Ordinance may be cited as the Charities and Non Profit Organisations (Registration) (Sark) (Amendment) Ordinance, 2011.

Commencement.

4. This Ordinance shall come into force on the 19th January, 2011.