



Jersey

NON-PROFIT ORGANIZATIONS (JERSEY) ORDER 2008

Official Consolidated Version

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THE MINISTER FOR ECONOMIC DEVELOPMENT, in pursuance of Articles 2(2), 10(1), 12(1), 13(1)(c) and 42 of the [Non-Profit Organizations \(Jersey\) Law 2008](#), orders as follows –

Commencement [[see endnotes](#)]

PART 1

INTERPRETATION

1 Interpretation

In this Order “the Law” means the [Non-Profit Organizations \(Jersey\) Law 2008](#).

PART 2

PRESCRIBED NPOs

2 Prescribed NPOs

For the purposes of Articles 10(1), 12(1) and 13(1)(c) of the Law, an NPO –

- (a) is a prescribed NPO if its name appears in Schedule 1;
- (b) is an NPO that belongs to a prescribed class of NPOs if it belongs to a class of NPOs specified in Schedule 2.

3 Application

This Part applies to an NPO that is a prescribed NPO or an NPO that belongs to a prescribed class of NPOs as determined in accordance with Article 2.

4 Prescribed information to be provided to Commission on request

The information that an NPO to which this Part applies may be required by the Commission to provide under Article 12(1) of the Law is the contact details of each person who has responsibility for running the NPO.

5 Prescribed information to be provided to the public on request

- (1) Except as provided by paragraph (2), the information that an NPO to which this Part applies must provide under Article 13(1)(c) of the Law, when requested to provide details or information about itself by a person under Article 13 of the Law, is the contact details of each person who has responsibility for running the NPO.
- (2) The Commission may, upon being requested to do so by an NPO, relieve the NPO from supplying in respect of a person all or any part of the contact details mentioned in paragraph (1) if the Commission is satisfied that the release of the information or that part of it would be likely to place the person at risk of harassment or intimidation.

6 Interpretation

- (1) For the purpose of Articles 4 and 5(1), a person has responsibility for running an NPO if –
 - (a) the person holds any office in the NPO;
 - (b) the NPO customarily acts in accordance with the instructions of the person; or
 - (c) the person is otherwise engaged in the administration of the NPO.
- (2) In Articles 4 and 5(1), contact details in respect of a person, means the person's –
 - (a) full name;
 - (b) position held in the NPO;
 - (c) contact address;
 - (d) contact telephone number;
 - (e) email address (if any).

PART 3**REGULATED NPOs****7 Prescribed services¹**

A service is a prescribed service for the purposes of Article 2(2) of the Law if it is a service provided by –

- (a) a person acting as or fulfilling the function of –
 - (i) a director of a company,

- (ii) a trustee of an express trust, or
 - (iii) a member of the council of a foundation,where the person is registered under the [Financial Services \(Jersey\) Law 1998](#) to provide the service;
- (b) a person (the first person) arranging for another person who is an officer or employee of the first person (the second person) to act as or fulfil the function of –
 - (i) a director of a company,
 - (ii) a trustee of an express trust,
 - (iii) a member of the council of a foundation,where the first person is registered under the [Financial Services \(Jersey\) Law 1998](#) to provide the service, and the second person acts or fulfils the function of director, trustee, or council member by virtue of his or her office in, or employment by, the first person; or
- (c) a person acting as a trustee of a trust –
 - (i) that is a private trust company business, and
 - (ii) that benefits from the concession that is set out in paragraph 4 of the Schedule to the [Financial Services \(Trust Company Business Exemptions\)\) \(Jersey\) Order 2000](#).

PART 4

CITATION

8 Citation

This Order may be cited as the Non-Profit Organizations (Jersey) Order 2008.

SCHEDULE 1

(Article 2(a))

PRESCRIBED NPOs

SCHEDULE 2

(Article 2(b))

CLASSES OF PRESCRIBED NPOs

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Non-Profit Organizations (Jersey) Order 2008	R&O.96/2008	8 August 2008
Non-Profit Organizations (Amendment) (Jersey) Order 2008	R&O.144/2008	7 November 2008
Non-Profit Organizations (Amendment No. 2) (Jersey) Order 2009	R&O.75/2009	17 July 2009

Table of Renumbered Provisions

Original	Current
8(1)	8
8(2)	Spent, omitted

Table of Endnote References

¹ Article 7 *substituted by R&O.144/2008, R&O.75/2009*