



## Operational Case Report

# Goa Brighter Future (1157671)

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### About the charity

We received an application to register Goa Brighter Future as a charity on 13 May 2014. The stated objects of the organisation included the relief of poverty and sickness, the preservation of health and the advancement of the education of disadvantaged children and young people in the state of Goa.

### Why the commission got involved

When we received the application, the registration team identified that there was a charity on the public register with almost identical objects (Mango Tree Goa - 1148049) and that the trustees of this charity appeared to be the same as the proposed trustees of Mango Tree Goa.

We also found that two of the trustees on the application were also trustees of another charity - Children Walking Tall (1106528) which was removed from the register on 26 November 2012.

Our registration team therefore referred the case to the new operations function monitoring team. That team needed to examine the reasons for the establishment of a new charity with almost identical objects to Mango Tree Goa (1148049). In addition, we wanted to establish how the remaining charitable funds of Children Walking Tall had been distributed when the charity closed.

### The action we took

We wrote to the applicants in June outlining our concerns and requesting additional information including evidence of how the remaining charitable funds of Children Walking Tall were distributed.

### What we found

The applicants promptly responded to our request and supplied sufficient information which satisfied our interest.

They explained that Children Walking Tall (CWT) closed because they had not gained acceptance from Goan authorities and this hampered their operations. They provided accounts from CWT and Mango Tree Goa that showed that the remaining funds of CWT were transferred to Mango Tree Goa when it closed.

The applicants also explained that Mango Tree Goa has two partners on the ground in Goa - The Mango Tree Trust and Grace Educational Trust. Both have government registered pre-primary schools and are registered to hold afternoon tuition classes.

In Goa, until a charity has submitted three full years of financial accounts to the Indian Ministry of Home Affairs, they are required to make a fresh application each time they wish to receive overseas funding. As an 'established' charity the Grace Educational Trust has on-going permission in place to receive funds from Mango Tree Goa. However as The Mango Tree Trust is a new organisation, they would have to make a new application each time they wanted to receive funds from overseas but they have been advised that currently, the Indian Home Ministry has placed an embargo on trusts being granted permission to receive foreign funds where the name of the trust and the overseas body is the same. The trustees have been advised that in this context The Mango Tree Goa and The Mango Tree Trust's names would be regarded as the same.

They explained that they have considered adopting a working name however any search on the commission's website would still refer to The Mango Tree Trust.

The applicants have also considered sending funds via another UK charity or another trust in India however they have concerns about whether the funds would reach the intended recipient.

We concluded that the concerns of the applications were not unreasonable and that establishing a new charity was an acceptable way forward. The application was referred back to our registration team to be processed as usual. Goa Brighter Future is now registered charity number 1157671.

We have advised the trustees that we intend to contact them again in approximately 6 months for an update on how the charity is progressing.

## Lessons for others

When an application raises questions or concerns, our operations function monitoring team will follow them up where necessary. Applicants may be asked for further information and we will check that information to make sure we are being told the truth.

Before you apply to register a charity, you should make sure that you have fully considered that this is the best way forward in addressing the need you have identified. You should be prepared to share these considerations, and any relevant evidence, with the commission promptly.