

Press release: Update on Cup Trust Inquiry

- The Charity Commission, in one of the first uses of its new power, has disqualified Mountstar from being a charity trustee
- Mountstar acted as sole and corporate trustee of the Cup Trust
- The Cup Trust has been wound up by the interim managers appointed by the regulator and the Commission removed it from the charity register

The Commission has used its new powers conferred under the Charities (Protection and Social Investment) Act 2016 to disqualify the company, Mountstar (PTC) Limited ("Mountstar"), from being a charity trustee for a period of 15 years. The order, which came into force today (14 June 2017), was made by the regulator as it was satisfied that Mountstar, as trustee, (1) was responsible for misconduct and/or mismanagement in the administration of the charity, (2) was unfit to be a charity trustee and (3) that it was desirable to make the disqualification order in the public interest so as to protect public trust and confidence in charities.

The charity has been wound up by the charity's interim managers, who were appointed by the regulator to administer the charity. The Commission removed the Cup Trust from the register of charities on 26 May 2017. The Commission is also considering regulatory action against the individuals who were directors of Mountstar.

Michelle Russell, Director of Investigations, Monitoring and Enforcement at the Charity Commission, said:

In using this new power to make an order to disqualify this company that we have found is responsible for misconduct and/or mismanagement in administering The Cup Trust, we are sending a strong message to all those whose actions harm charities: that they will be held accountable and that we will protect other charities from those who pose a risk to them.

The Commission was concerned in this case that public trust in charities would be undermined if this charity continued to be involved with a tax avoidance scheme through facilitating a gift aid claim. Arrangements which principally aim to confer advantages to private businesses or individuals with any benefit to the charity being a by-product of the scheme are not consistent with trustees' duties.

Our action in this case is important to protect the trust the public should have in charities. It shows the donating

public that the regulator acts to address wrongdoing and that they can have confidence in a well-run charitable sector.

Background

The Commission opened an inquiry into The Cup Trust on 12 April 2013, following receipt of information from HMRC. The scope of the investigation includes examining the governance of the charity by its trustee, management of conflicts of interest and the charity's involvement in a gift aid scheme and whether or not the trustee had complied with its obligations.

The Commission used its powers to appoint interim managers to administer the charity to the exclusion of Mountstar in April 2013. Once the interim managers had carried out the functions required of them and had withdrawn the charity's Gift Aid claims, they wound up the charity and were discharged. The charity was removed from the register of charities on 26 May 2017. The Commission is continuing with its formal investigation of the charity and will report its findings once this is concluded.

Ends.

PR 46/17

Notes to editors

1. The Charities (Protection and Social Investment) Act 2016 amends the Charities Act 1992 and the Charities Act 2011.
2. A charity trustee is defined under section 177 of the Charities Act 2011 as being one of the persons having the general control and management of the administration of a charity. A trustee for a charity is an individual (or body) who holds land, money or securities for a charity, or in whom the legal ownership of the charity's property is vested.
3. The new discretionary disqualification power in section 181A of the Charities Act 2011 enables the regulator to disqualify a person it considers unfit from being a trustee, for a maximum period of 15 years. Before making an order, the Commission must give at least one month's notice to the person it intends to disqualify. If the Commission goes on to make an order after considering any representations, the order does not take effect until the period for making an appeal to the Tribunal has expired (42 days). If no appeal is made, the disqualification takes effect.
4. The Commission made an order on 3 May 2017 under section 181A of the Charities Act 2011. Having satisfied itself that:
 - Mountstar was responsible for misconduct and/or mismanagement in the administration of the charity at a time when it was the corporate trustee;
 - Mountstar is unfit to be a charity trustee or trustee for a

- charity; and
 - disqualification is desirable in the public interest to protect public trust and confidence in charities generally, The effect of the order, which came into force today (14th June), is to disqualify Mountstar from being a charity trustee or trustee for a charity in respect of any charity in England and Wales for a period of 15 years. The order also disqualifies Mountstar from holding any office or employment with senior management functions in any such charity for the same period.
5. The [Commission brought a case](#) to the High Court to seek approval of the interim managers' decision to withdraw the charity's claim of £46 million in Gift Aid tax relief. Although challenged by Mountstar, the High Court ruled in April 2016 that the charity could then withdraw the £46 million claim.
 6. [The Charity Commission](#) is the independent regulator of charities in England and Wales. To find out more about our work, see our [annual report](#).
 7. Search for charities on our [online register](#).
 8. Details of how the commission reports on its regulatory work can be found on [GOV.UK](#).
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[Press release: Foreign Secretary statement on UN Security Council resolution on arms smuggling in Libya](#)

I welcome the UN Security Council's decision to unanimously adopt the UK drafted resolution targeting arms smuggling in the high seas off the coast of Libya.

The resolution demonstrates the international community's commitment to tackle the illegal flow of weapons into Libya, which fuels internal conflict. It enables international and regional organisations to stop vessels thought to be carrying arms, and acts as an important deterrent to those seeking to smuggle arms into the country by sea.

The UK is committed to bringing this conflict to a close and give the Libyan people the security and political stability they deserve. We call upon the international community to act quickly and firmly on this resolution, and to collectively tackle other flows of arms that continue to destabilise the country.

News story: Record numbers expected at this year's event for suppliers

Thursday's [NDA Estate Supply Chain Event](#) has reached full capacity, with a record 1,600 visitors now signed up to attend.

More than 300 organisations have taken exhibition space at the EventCity venue, Manchester, which will once again feature the popular Innovation Zone, with technology demonstrations throughout the day. Last year saw the launch of the Skills Zone which has expanded for 2017.

Other government departments attending include:

- the Ministry of Defence (MOD)
- the export-focused Department for International Trade (DIT)
- innovation agency Innovate UK

The event is organised jointly by the NDA and its Site Licence Companies and is now believed to be the biggest of its kind in Europe. Launched in 2011, its aim is to create greater visibility of opportunities for suppliers, in particular for Small and Medium-sized Enterprises (SMEs).

The morning will be opened by new NDA Chief Executive David Peattie, with a further keynote speech by Rear Admiral Keith Beckett from the MOD's submarine programme.

This will be followed by the annual awards ceremony that acknowledges the vital role of suppliers in driving decommissioning progress across the UK.

The afternoon will see a series of presentations from the NDA's business units, outlining future opportunities. The day brings together suppliers of all sizes with organisations placing contracts, and provides opportunities for informal face-to-face networking while showcasing the latest nuclear technologies.

Ron Gorham, the NDA's Head of Supply Chain Optimisation and SME Champion, said:

We're delighted that the event continues to attract ever more interest, and this year's looks set to be the busiest yet.

We look forward to engaging with our supply chain, discussing opportunities, listening to their feedback and encouraging newcomers to become involved with decommissioning across the UK. Suppliers are vital to our success and we hope they will take full advantage of the presentations and informal networking.

- Date: Thursday 2 November, 9.30am to 4.30pm (sign-in from 8am)

- Venue: EventCity, Manchester

If you're not attending, then [keep up to date via Twitter and #DecommSupply](#)

[News story: Crime news: July to December 2017 duty rotas](#)

New duty solicitor rotas are available covering the period from 1 July to 31 December 2017.

You can now view the latest duty solicitor rotas – see link below.

Revised members' lists on which the rotas are based have also been published.

If you have any feedback about these rotas or members' lists you should use the contact details below.

2017 standard crime contract

A copy of the 2017 standard crime contract is available on gov.uk – see link below.

Further information

[Duty solicitors: rotas, information and guidance](#) – duty solicitor rotas covering 1 July to 31 December 2017 and revised members' lists

[Standard Crime Contract 2017](#)

dutysolqueries@legalaid.gsi.gov.uk – for feedback or enquiries about rotas or members' list

[News story: Ardent II report and flyer published](#)

MAIB's report and accompanying safety flyer on the investigation of the fire on board fishing vessel Ardent II while alongside in Port Henry Basin, Peterhead on 16 August 2016 is now published.

The report contains details of what happened and the subsequent actions taken.

A [safety flyer](#) for the fishing industry summarising the accident and detailing the safety lessons learned has also been produced.

Press enquiries

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