

26 February 2024

CHARITIES SERVICES
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Mohammed Khan

Sent via email to:

fyi-request-25664-0851557e@requests.fyi.org.nz

Tēnā koe Mohammed,

Official Information Act 1982 Request – OIA 2324-0573

Thank you for your request for information about information contained in the Effective Charitable Trust's Performance Report for the financial year 2023 which was received by the Department of Internal Affairs on 8 February 2024. You have requested the following:

- *I have a few questions in regards the definition of 'charitable entities' and 'charitable purposes' as understood by Charities Services. In the FY2023 financial statements/audit report for CC51659, the 'Effective Charitable Trust', the following 'charitable entities' are listed as receiving funding.*
 - 1) *'Sanford C Bernstein Co LLC': This is a wealth management advisory firm. Is this considered a 'charitable entity' by Charities Services?*
 - 2) *'Fidelity Charitable Gift Fund': According to a Ha'aretz investigation in May 2021, titled 'American Jews, Stop Funding Jewish Terrorism', this organization has been used as a conduit to provide funding to 'Israeli' settler terrorist groups which attack the native Palestinian population in Jerusalem and other areas of Palestine. Is this considered a 'charitable purpose' by Charities Services?*
 - 3) *'Foundation for Defence of Democracies': According to November 2019 reports in Al-Monitor and other newspapers, this anti-Muslim think tank operates, among other things, a lobbying arm directed at the American government. Is subverting the foreign policy of governments with which New Zealand's government has friendly relations considered a 'charitable purpose' by Charities Services?*
 - 4) *American Zionist Movement Inc.': this organization provides funding to the 'World Zionist Organization'. According to a March 2015 report by the Jewish Daily Forward, 'Zionist Group's Vote Could Bare Israel's Secret Funding of Settlements', the Settlement Division of this organization is "a covert cash box for bankrolling [illegal] settlement activity" by providing loans and other services to illegal settlers in the zionist-occupied West Bank of Palestine. Is funding illegal settlements considered a 'charitable purpose' by Charities Services?*

Response to your request

In response to your request I can provide you with the following information –

We do not hold any information on the activities or purposes of Sanford C Bernstein Co LLC, Fidelity Charitable Gift Fund, Foundation for Defence of Democracies and American Zionist Movement Inc as they are not registered charities in New Zealand.

Therefore, I must refuse this request under 18(e) of the Official Information Act 1982; that the document alleged to contain the information requested does not exist or, despite reasonable efforts to locate it, cannot be found.

Charitable purpose in New Zealand

I can, however, provide you with some general information about charitable purpose in New Zealand. In general, as a registered charity, an organisation must have charitable purposes as set out in the Charities Act 2005. There are four categories of charitable purposes set out in the Act:

1. Relieving poverty
2. Advancing education
3. Advancing religion
4. Other purposes beneficial to the community

Further information on what are considered charitable purposes are available on our website here: <https://www.charities.govt.nz/ready-to-register/need-to-know-to-register/charitable-purpose/>

Charities may choose to provide funding to other organisations to carry out their charitable purposes and those other organisations are not required to be charities themselves. The charity must however ensure that any funds they are providing to other organisations are furthering a charitable purpose and providing a public benefit.

Complaints about a registered charity

If you wish to make a complaint regarding the Effective Charitable Trust please contact the Charities Services' Investigation Team at Compliance@dia.govt.nz outlining your concerns and providing any evidence you wish for us to assess.

It may be useful for me to explain that under the Charities Act 2005 we only inquire and investigate:

- any serious or deliberate non-compliance of the Charities Act.
- any registered charity and/or person who has engaged in conduct that amounts to serious wrongdoing. "Serious wrongdoing" is defined in the Charities Act and includes the unlawful or corrupt use of charitable funds, conduct that amounts to an offence, oppressive or improperly discriminatory conduct, gross negligence, and gross mismanagement.
- any registered charity that may no longer be qualified for registration under the Charities Act.

Where a concern falls within our area of responsibility, we will only inquire into or investigate a charity where we decide this is appropriate based on our assessment of the nature and level of the risk relating to the issue or allegation. This is because, consistent with our [Compliance Approach](#), we target our help and resources to the harms that impact on public trust and confidence in the charitable sector and the effective use of charitable resources.

You have the right to seek an investigation and review of my decisions about your request by the Ombudsman pursuant to section 28(1) of the Act. The Office of the Ombudsman can be contacted by writing to PO Box 10-152, Wellington or by email to info@ombudsman.parliament.nz.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'P. Cox'.

Penelope Cox
Manager Regulatory
Charities Services