

Inquiry into the City Harvest Church

COMMISSIONER OF CHARITIES AGREES TO REQUESTS TO DEFER REMOVAL PROCEEDINGS - AND CONTINUES TO PROTECT CHC'S ASSETS

The Commissioner of Charities (“the COC”) has agreed to the requests from seven suspended individuals, the Governing Board of the City Harvest Church (“CHC” or “the Charity”) and some of its members, to defer the removal proceedings of the eight individuals, namely Kong Hee, Lam Leng Hung, Tan Ye Peng, Chew Eng Han, Tan Shao Yuen Sharon, Serina Wee Gek Yin, Kelvin Teo Meng How and Tan Su Pheng Jacqueline, from their positions in the CHC until after the conclusion of the criminal proceedings involving the first six individuals.

2. Seven of the eight individuals, except Chew Eng Han, have provided their undertakings to refrain from taking up management and executive roles in the Charity, and to continue with the suspension from their positions. Chew Eng Han has submitted his representations to the COC’s office and did not request for a deferment of the removal proceedings. As informed by and confirmed by the CHC, Chew Eng Han is no longer attending CHC.

3. The CHC has undertaken that it would not engage the eight individuals (including Chew Eng Han) for any management or executive role within the Charity. An order under section 41A (1) of the Charities Act (“the Act”) has also been issued to the CHC to provide regular updates on the key activities and financial position of the Charity for close monitoring.

4. As the necessary steps have been taken to ensure that the property of the Charity remains protected, the COC has agreed to the requests for a deferment of the removal proceedings until after the conclusion of the criminal proceedings.

5. Thereafter, the individuals will have an opportunity to make representations and the COC will decide, *inter alia*, whether or not removal orders should be made based on the Inquiry findings and the representations. The regulatory action by the COC is separate and independent of the current criminal proceedings faced by six of the eight individuals. As required under the Act, the COC may only make a removal order with the consent of the Attorney General.

6. The individuals may continue with their religious duties which are separate from the holding of any governance or management positions in the Charity. The normal services of the CHC can continue as usual.

7. The COC has, and will continue to, strive to protect the charitable assets of the Charity and at the same time, act fairly and consistently towards the suspended individuals. In the meantime, the COC will step up its vigilance over the assets of the CHC.

Issued by:

The Office of the Commissioner of Charities
Ministry of Culture, Community and Youth
1 August 2013

Background

1. In December 2012, the COC made a proposal to the suspended individuals that the COC would defer the next stage of any regulatory action should they collectively agree to a voluntary extension of their suspension until 6 months after the conclusion of the criminal trial. This was done purely on a goodwill basis so as to allow the affected parties time to focus on the criminal proceedings, and also to have sufficient time to provide their representations during the removal process. However, one suspended individual did not agree.

2. In March 2013, the COC made a further proposal to defer regulatory action, provided that the consenting individuals maintained their consent to a voluntary extension of their suspension until 6 months after the conclusion of the criminal trial. However, three suspended individuals who had initially agreed to the proposal made in December 2012 did not agree.

3. In view of the 12-month duration of the suspension orders, it was necessary for the COC to proceed to the next stage of the process so as to protect the charitable assets of the CHC. Therefore, on 9 April 2013, the COC gave public notice to commence the removal proceedings, and invited representations from the CHC, the individuals and the public on his proposal to remove eight suspended individuals.

4. On 13 May 2013, upon the requests of the individuals, the COC extended the deadline for the individuals to make representations by 2 months until 13 July 2013. In return, all the 8 individuals voluntarily agreed to an extension of their respective suspension orders by 2 months.

5. On or about 13 July 2013, seven suspended individuals, with the exception of Chew Eng Han, wrote separately to the COC through their lawyers to request that the removal proceedings be deferred until after the conclusion of the criminal proceedings. The requests are similar to the COC's proposal in December 2012.