

# AP05

Appointment of a manager under Section 47 of  
the Companies (Audit, Investigations and Community  
Enterprise) Act 2004 or receiver and manager under  
Section 18 of the Charities Act 1993 or judicial  
factor (Scotland)



Companies House

☒ What this form is for  
You can use this form to appoint  
a Community Interest Company  
manager, a Charity Commission  
receiver and manager or a judicial  
factor (Scotland)

☒ What this form is for  
You cannot use this form for  
other appointments.

THURSDAY



RM 13/02/2014 #10  
COMPANIES HOUSE

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## 1 Company details

Company number **07032339**  
Company name in full **AFGHAN HEROES**

→ Filing in this form  
Please complete in typescript or in  
bold black capitals  
All fields are mandatory unless  
specified or indicated by \*

## 2 Appointment

Please tick one box to indicate who is being appointed ①

- ☐ Manager under Section 47 of the Companies (Audit, Investigations and Community Enterprise) Act 2004  
☒ Receiver and manager under Section 18 of the Charities Act 1993  
☐ Judicial factor (Scotland)

① Please tick one box only to indicate  
who is being appointed

*76(3)(g) of De Chancery Act 2011*

## 3 Name ②

Title \* **MR.**  
Forename(s) **BRIAN**  
Surname/Corporate name **JOHNSON.**  
**(HW FISHER & COMPANY)**

② Name  
Please give the full name of the  
manager, receiver and manager  
or judicial factor that is being  
appointed

## 4 Service address ③

Building name/number **11-15**  
Street **WILLIAM ROAD**  
Post town **LONDON**  
County/Region  
Country **UK**  
Postcode **NW1 3ER**

③ Service address  
This is the address that will appear  
on the public record. This does not  
have to be the usual residential  
address

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### Presenter information

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record

Contact name **HARVEY GRENVILLE**

Company name **CHARITY COMMISSION**

Address **WOODFIELD HOUSE  
TANGIER**

Post town **TAUNTON**

County/Region **SOMERSET**

Postcode **TA1 4BL**

Country **UK**

DX

Telephone **0300 065 2003**



### Checklist

We may return forms completed incorrectly or with information missing

Please make sure you have remembered the following

- ☒ The company name and number match the information held on the public Register
- ☒ You have indicated who is being appointed in Section 2
- ☒ You have correctly entered the name of the manager, receiver and manager or judicial factor being appointed in Section 3
- ☒ You have entered the service address in Section 4
- ☒ Your address must be a physical location. It cannot be a PO Box number (unless part of a full address), DX or LP (Legal Post in Scotland) number
- ☒ You have provided an authorising signature



### Important information

Please note that all information on this form will appear on the public record



### Where to send

You may return this form to any Companies House address, however for expediency we advise you to return it to the appropriate address below

**For companies registered in England and Wales.**  
The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ  
DX 33050 Cardiff

**For companies registered in Scotland**  
The Registrar of Companies, Companies House,  
Fourth floor, Edinburgh Quay 2,  
139 Fountainbridge, Edinburgh, Scotland, EH3 9FF  
DX ED235 Edinburgh 1  
or LP - 4 Edinburgh 2 (Legal Post)

**For companies registered in Northern Ireland**  
The Registrar of Companies, Companies House,  
Second Floor, The Linenhall, 32-38 Linenhall Street,  
Belfast, Northern Ireland, BT2 8BG  
DX 481 NR Belfast 1



### Further information

For further information please see the guidance notes on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.companieshouse.gov.uk](http://www.companieshouse.gov.uk)

**ORDER OF  
THE CHARITY COMMISSION FOR ENGLAND AND WALES**

Made under s 76(3)(g) of the Charities Act 2011

to appoint an interim manager

dated

**4 February 2014**

for the charity known as

**AFGHAN HEROES (1132340)**

**ORDER**

- 1 That Brian Johnson of HW Fisher & Company, 11-15 William Road, London NW1 3ER, is appointed interim manager in respect of the above-mentioned charity ("the Charity") with effect from 11am 5 February 2014 subject to and until any further order or orders made by the Charity Commission ("the Commission") varying or discharging (in whole or in part) the provisions of this Order
- 2 That the interim manager shall have all the powers and duties of charity trustee of the Charity to the exclusion of the current charity trustees of the Charity with effect from the same time
- 3 During any period when the interim manager is unable to act as such, the Commission may, by further order, appoint such other person to be the interim manager for that period
- 4 That the interim manager shall, without prejudice to the generality of the functions set out in paragraph 2, discharge the specific functions set out in the Schedule hereto and such other specific functions as the Commission may from time to time by further order determine



**A member of staff of the Charity Commission authorised to act on behalf of the  
Charity Commission**

## SCHEDULE

- 1 To take over the management and administration of the Charity, including its staff, its property, its interests, the provision of services to its beneficiaries and its relations with third parties, to discharge the functions of charity trustee of the Charity to the exclusion of the current charity trustees of the Charity, and to take any steps necessary to secure and take control of the property of the Charity
- 2 In particular
  - a To assess the care and needs of the Charity's beneficiaries and to implement a plan to provide for that care and those needs
  - b To take steps to segregate and safeguard Charity funds from the Charity's subsidiaries and commercial trading activities
  - c To review the Charity's financial controls, systems and financial reporting and to make any changes required to protect the Charity's interests, in particular to safeguard funds and ensure proper expenditure controls
  - d In respect of the Charity's trading subsidiaries
    - i To review the operation and performance of each of the Charity's trading subsidiaries
    - ii To review the extent to which each subsidiary supports the furtherance of the Charity's objects
    - iii To take any steps the IM considers necessary or expedient, using the Charity's powers as sole shareholder, to protect the Charity's interests and further its objects
  - e To protect the Charity's interests in respect of, and review, the withdrawal by the Smuggled Retreat Ltd from its joint business venture involving a pub and restaurant, including any resulting claims or proceedings brought by the former joint venture partner
  - f To establish how the Charity's funds have been spent since it was first established, the extent to which the funds have been used to further the objects of the Charity, and any loss or detriment to the Charity which has arisen through any misapplication of funds
  - g To establish the extent of any unauthorised remuneration to past and present charity trustees and connected parties
  - h To review the Charity's merchandising activities and to establish whether these activities are viable and in the best interests of the Charity
  - i To review the appropriateness of any fundraising arrangements for the Charity and to identify any changes that may be required to ensure the fundraising arrangements comply with law and regulation and are conducted in the best interests of the Charity
  - j To establish whether the continued operation of the Charity is financially viable and whether the continued operation of each its subsidiaries, including The Retreat pub, is in the best interests of the Charity
  - k To consider and report on
    - i Any breach of duty and/or trust by the charity trustees of the Charity in relation to the operation of the Charity including its trading subsidiaries,
    - ii What steps may be necessary and in the best interests of the Charity to regularise any breaches of duty and/or trust, including consideration of whether past and/or present charity trustees are personally liable for any breach of duty to the Charity for any misapplication of funds or losses incurred, the recovery of unauthorised remuneration and recovery or restructuring of loans to the Charity's subsidiaries

- iii Recommendations for the future of the Charity and its subsidiaries, and the options available, including the future of the Smuggled Retreat Ltd and how any related claims or proceedings should be dealt with in the best interests of the Charity