

SCHEDULES

SCHEDULE 4

REFERENCES TO THE TRIBUNAL

Agreement for Commission to act while reference in progress

5.—(1) Paragraph 3(2) does not apply in relation to any steps taken by the Commission with the agreement of—

- (a) the persons who are parties to the proceedings on the reference at the time when those steps are taken, and
- (b) (if not within paragraph (a)) the charity trustees of any charity which—
 - (i) is likely to be directly affected by the taking of those steps, and
 - (ii) is not a party to the proceedings at that time.

(2) The Commission may take those steps despite the suspension in accordance with paragraph 4(2) of any period during which it would otherwise be permitted or required to take them.

(3) Paragraph 3(3) does not require the Commission to give effect to a decision as to the application of charity law to a particular state of affairs to the extent that the decision is inconsistent with any steps already taken by the Commission in relation to that state of affairs in accordance with this paragraph.