



Charities Act 2006

2006 CHAPTER 50

PART 3 **E+W**

FUNDING FOR CHARITABLE, BENEVOLENT OR PHILANTHROPIC INSTITUTIONS

CHAPTER 1 **E+W**

PUBLIC CHARITABLE COLLECTIONS

Public collections certificates

PROSPECTIVE

57 Appeals against decisions of the Commission **E+W**

- (1) A person who has duly applied to the Commission for a public collections certificate may appeal to the [^{F1}Tribunal] against a decision of the Commission under section 52—
 - (a) to refuse to issue the certificate, or
 - (b) to attach any condition to it.
- (2) A person to whom a public collections certificate has been issued may appeal to the Tribunal against a decision of the Commission not to direct that the certificate be transferred under section 55.
- (3) A person to whom a public collections certificate has been issued may appeal to the Tribunal against a decision of the Commission under section 56—
 - (a) to withdraw or suspend the certificate,
 - (b) to attach a condition to the certificate, or
 - (c) to vary an existing condition of the certificate.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Charities Act 2006, Section 57. (See end of Document for details)

- (4) The Attorney General may appeal to the Tribunal against a decision of the Commission—
- (a) to issue, or to refuse to issue, a certificate,
 - (b) to attach, or not to attach, any condition to a certificate (whether under section 52 or section 56),
 - (c) to direct, or not to direct, that a certificate be transferred under section 55,
 - (d) to withdraw or suspend, or not to withdraw or suspend, a certificate, or
 - (e) to vary, or not to vary, an existing condition of a certificate.
- (5) In determining an appeal under this section, the Tribunal—
- (a) must consider afresh the decision appealed against, and
 - (b) may take into account evidence which was not available to the Commission.
- (6) On an appeal under this section, the Tribunal may—
- (a) dismiss the appeal,
 - (b) quash the decision, or
 - (c) substitute for the decision another decision of a kind that the Commission could have made;
- and in any case the Tribunal may give such directions as it thinks fit, having regard to the provisions of this Chapter and of regulations under section 63.
- (7) If the Tribunal quashes the decision, it may remit the matter to the Commission (either generally or for determination in accordance with a finding made or direction given by the Tribunal).
- [^{F2}(8) In this section “the Tribunal”, in relation to any appeal under this section, means—
- (a) the Upper Tribunal, in any case where it is determined by or under Tribunal Procedure Rules that the Upper Tribunal is to hear the appeal; or
 - (b) the First-tier Tribunal, in any other case;]

Textual Amendments

F1 Word in s. 57(1) substituted (1.9.2009) by [The Transfer of Functions of the Charity Tribunal Order 2009 \(S.I. 2009/1834\)](#), art. 1, [Sch. 1 para. 17\(a\)](#) (with Sch. 4)

F2 S. 57(8) inserted (1.9.2009) by [The Transfer of Functions of the Charity Tribunal Order 2009 \(S.I. 2009/1834\)](#), art. 1, [Sch. 1 para. 17\(b\)](#) (with Sch. 4)

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