
STATUTORY INSTRUMENTS

2008 No. 221

The Charity Tribunal Rules 2008

PART 2

General matters in appeals and applications

Orders against a vexatious litigant

11.—(1) The Tribunal may make an order where a person has persistently initiated proceedings before the Tribunal which are without merit.

(2) The Tribunal must not make an order under this rule without first inviting representations against the making of the order from the person against whom the order is to be made.

(3) Where the Tribunal makes such an order the person against whom the order is made will be prevented from taking any proceedings before the Tribunal without first obtaining the Tribunal's permission.

(4) Where a person who is subject to an order initiates proceedings before the Tribunal without first obtaining permission of the Tribunal, the Tribunal may order that the person's case is struck out—

- (a) without any new order needing to be made under this rule; and
- (b) without inviting representations from that person.

(5) An order under this rule may only be made for a specified period not exceeding 2 years.

(6) The Tribunal may extend the duration of an order under this rule on one occasion for a period not greater than 1 year if it considers that it is appropriate in the circumstances to do so.

(7) The circumstances in paragraph (6) include the making of repeated requests for permission under paragraph (3) which are without merit by a person who is subject to an order under this rule.

(8) A request for permission as described in paragraph (3) must be in writing and must—

- (a) state the nature of the request being sought;
- (b) explain that the person is the subject of an order made under this rule; and
- (c) be served on the parties to the proceedings in respect of which permission is being sought.

(9) The parties under paragraph (8)(c) must provide any representations about the request for permission not more than 7 days from the date on which they receive the request.

(10) The Tribunal must determine a request for permission under paragraph (8)—

- (a) on the papers; and
- (b) promptly, after having considered any representations made under paragraph (9).