

---

STATUTORY INSTRUMENTS

---

**2008 No. 221**

**The Charity Tribunal Rules 2008**

**PART 2**

**General matters in appeals and applications**

**Preliminary questions**

**14.**—(1) The Tribunal may direct that any preliminary question of fact or law which appears to be in issue in relation to the appeal or the application, be determined at a preliminary hearing.

(2) The Tribunal must give the parties not less than 14 days notice of the time and place of a preliminary hearing unless the parties agree to shorter notice.

(3) If, in the opinion of the Tribunal, the determination of that preliminary question substantially disposes of the appeal or the application, the Tribunal may—

- (a) treat the preliminary hearing as the hearing of the appeal or the application; and
- (b) make such order by way of disposing of the appeal or the application, as the Tribunal thinks fit.

(4) If the parties agree in writing, the Tribunal may determine the preliminary question without an oral hearing.

(5) Where the Tribunal determines the preliminary question without an oral hearing under paragraph (4), the Tribunal must not at the same time dispose of the appeal or the application unless the parties have agreed in writing to dispose of the appeal or application without an oral hearing.