
STATUTORY INSTRUMENTS

2008 No. 221

The Charity Tribunal Rules 2008

PART 5

Appeals from the Tribunal in appeals and applications

Permission to appeal to the High Court

35.—(1) A request to the Tribunal for permission to appeal to the High Court may be made by the applicant—

- (a) orally at the hearing immediately following the announcement of the decision by the Tribunal; or
 - (b) by way of a written request filed not later than 28 days after the date on which the notification of the decision is received by the party making the application; or
 - (c) by way of a written request filed not later than 28 days after the date on which the person making the application receives the notification under rule 34(9) (review of Tribunal's decision).
- (2) A written request under paragraph (1)(b) or (c), must be signed by the applicant and must—
- (a) state the name and address of the applicant and any representative of the applicant;
 - (b) identify the decision of the Tribunal to which the request relates; and
 - (c) state the grounds on which the applicant intends to rely before the High Court.

Decision as to permission to appeal to the High Court

36.—(1) The request for permission to appeal to the High Court must be decided on the papers unless the Tribunal considers that special circumstances make a hearing desirable.

(2) The decision of the Tribunal following a request for permission to appeal to the High Court, together with the reasons for its decision, must be recorded in writing.

(3) The Tribunal must notify the applicant and each of the other parties of the decision and the reasons for the decision in writing.

(4) If the Tribunal refuses the request, the notification to the applicant under paragraph (3) must inform the applicant of the right to seek permission to appeal from the High Court.

Appeal remitted by the High Court for rehearing

37. Where the High Court remits an appeal to the Tribunal for rehearing and determination (“the rehearing”)—

- (a) these Rules, so far as relevant, apply to the rehearing as they did to the original hearing of the appeal or application; and
- (b) the Tribunal must, within 28 days of the date on which the High Court ordered remittal, give directions in relation to the rehearing.