

THE CHARITY TRIBUNAL

Guide to completing an appeal form

1.Applicant's details

Please provide your full name, address and contact details of where notices and other documents can be sent to you.

The Tribunal's preferred method of communication is by email. If you have provided an email address on your Appeal Form, please ensure that you check it frequently to ensure that you do not miss important deadlines. We recommend that you also check your junk mail as emails from the Tribunal system may be seen as spam by some email providers.

If your contact details change, it is your responsibility to inform the Tribunal as soon as possible.

2.About the decision you are appealing against

The Tribunal needs you to provide information about the decision you are appealing against.

Please provide a copy of the Decision Notice and the date you received it.

3.Time limit for making an appeal

The Tribunal must receive your appeal form within 28 days of the date of your Decision Letter from the Commission.

The Tribunal will only consider a late appeal if you request an extension of time and give reasons why the appeal is out of time.

If you want the Tribunal to consider an out of time notice of appeal, tick the box and provide an explanation of why the appeal has been sent out of time and the reasons why the Tribunal should accept a late application. This will be sent to the Chair/Vice Chair for approval.

4.Grounds of appeal

Please explain clearly why you think the decision is wrong, giving as much detail as possible. This is an extremely important part of your application and your grounds should show why you consider the decision, or parts of it, are wrong. Please do not hesitate to use additional sheets if necessary.

5.Type of hearing

You should indicate in this section of the appeal form whether you prefer your appeal to be considered on the papers by the Chair or Vice Chair, or at a hearing, where the Chair or Vice Chair will decide if a Tribunal panel is required. This will be at the discretion of the Chair or Vice Chair.

A number of cases are struck out without a hearing if they are considered to have no prospect of success or if the Tribunal does not have power to hear them. If there is a risk of this happening you will be notified so that you write in with any representations you may have.

If the case is dealt with on paper, the Tribunal will consider all the papers and then make a decision, which will be sent to the parties in writing in due course.

If the case is dealt with at a hearing, the parties will attend the Tribunal on a date fixed by the Tribunal. Witnesses may be called and may be questioned by the parties at the Tribunal.

At the end of the hearing, the Tribunal may be able to give the parties a decision (with written reasons to follow).

However, it is more usual for the Tribunal to take more time than this to reach a decision and send it to the parties in writing.

6.Supporting documents

If you have documents in support of your appeal, please send them to the Tribunal so that the Tribunal Chair can consider them. You should tick the box on the form to show that additional documentation is included and list what documents these are. Do not send original documents.

Your appeal and supporting documents will be sent to the Commission.

7.Representative's details

You are not required to have a legal representative, but if you do have a legal or other representative please complete this section.

Please note the Charity Tribunal does not award legal costs.

8.Additional Requirements

If you, your representative or any witnesses have any specific requirements or assistance needs eg wheelchair access or the availability of a hearing loop, please fill out this section.

If you require a translator for the hearing please state which language.

9.Hearings and Judgments

All hearings are held in public and are recorded. All Judgments will be published on our website. In exceptional circumstances you can apply to the Chairman to hold your hearing in private. This does not apply to those Charities registered on the Restricted Register which will be held in private.

Signature

The appeal form should be signed and dated by you or your representative, if you have one. The completed form should be sent to:

The Registrar
The Charity Tribunal
1st Floor
International House
The Parade
St Heler
JE2 3QQ
Email: registrartribunalservice@gov.je