

**THE CHARITIES ACT (NORTHERN IRELAND) 2008
THE CHARITIES ACT (NORTHERN IRELAND) 2013
THE CHARITY TRIBUNAL RULES (NORTHERN IRELAND) 2010**

IN THE CHARITY TRIBUNAL FOR NORTHERN IRELAND

Between

MARGUARITE O'REILLY, on behalf of 'GUT HEALTH MATTERS'

Appellant

-and-

THE CHARITY COMMISSION FOR NORTHERN IRELAND

Respondent

DIRECTIONS

WHEREAS an appeal dated 6 February 2025 was filed with the Charity Tribunal for Northern Ireland ('the Tribunal') by the Appellant against a Review Decision of the Respondent dated 22 August 2025, declining to change its original Decision dated 18 June 2025, refusing to enter the unincorporated institution known as 'Gut Health Matters' ('the institution') in the Register of Charities in Northern Ireland on the basis that the charitable purpose of 'advancement of health', or any charitable purpose, was not satisfied and, in any event, that the required 'public benefit' criterion was not satisfied;

AND WHEREAS, pursuant to Rule 17 of the Charity Tribunal (Northern Ireland) Rules 2010 ('the Rules'), an appeal against a decision of the Respondent must be filed, in the correct form, within 42 days from the date the impugned decision of the Respondent was sent to the Appellant, if it is accepted that the Appellant is the subject of the said decision, that is, by 2 October 2025, on the face of the papers before the Tribunal;

AND WHEREAS, the Respondent, on 9 February 2026, submitted to the Tribunal that the said appeal was out of time and should not, therefore, be admitted for hearing and that the Tribunal, pursuant to Rule 17(11) of the Rules, must take no further action until any request for an extension of time, a request that can only be made by the Appellant, is considered, pursuant to Rule 17(8) of the Rules;

AND WHEREAS the said Notice of Appeal does not comply, in many respects, with the requirements of Rule 17 of the Rules and may, therefore, in addition, be an incomplete appeal and may also not be admitted for hearing on that basis;

IT IS DIRECTED THAT

1. Within the period of 28 days from the date of these Directions, the Appellant shall state to the Tribunal (copying any reply to the Respondent at the same time):
 - (1) whether she accepts that her Notice of Appeal is out of time and, if so, a statement of reasons for the delay by her in making this appeal, together with any information that will assist the Tribunal in considering what steps, if any, were taken by the Respondent to notify or publish its 'final decision', that is, the definitive decision of the Respondent that is the subject of this intended appeal); when the Appellant became aware of the final decision and when did she become aware of a right to appeal the final decision and the time limit for making an appeal;
 - (2) the basis upon which she purports to be authorised to bring this appeal on behalf of the unincorporated institution and, in particular, whether she is a member of a governing committee of that institution and, if so, to provide a certified copy of any Minutes of a meeting(s) of that committee authorising or directing her to make this appeal on behalf of the institution;
 - (3) the category of Column 2 of the Table to Schedule 3 of the Charities Act (Northern Ireland) 2008 ('the Act') into which she considers she falls, that is, whether she is, or claims to be, a charity trustee of the institution or is a person who is, or may be, affected by the impugned decision of the Respondent (whether in her own right, or otherwise) and the reasons why that may be the case;
 - (4) that the institution is, in fact, an unincorporated institution;
 - (5) the section of the Act under which the impugned decision of the Respondent is made;
 - (6) details of the final decision of the Respondent including the name of the person that decision concerns; any reference number of the Respondent and the date the final decision of the Respondent was notified to her;
 - (7) whether she accepts that no copy of the final decision of the Respondent was filed with her Notice of Appeal;
 - (8) whether she accepts that she did not, and has not, in her Notice of Appeal, if she accepts that the appeal is out of time, made any request for a direction, pursuant to Rule 3 of the Rules, for an extension of time to have her appeal admitted for hearing.

2. The Appellant is strongly urged to obtain the advice and services of a representative experienced in Northern Ireland charity law to assist her in making her appeal and, in particular, in addressing the alleged 'Out of Time' issue and the 'Incomplete Appeal' issue.
3. The Appellant is advised that the Tribunal may, pursuant to Rules 5 and 6 of the Rules, strike out, or dismiss, the purported appeal on various grounds, including if the Tribunal is satisfied that the purported appeal discloses no reasonable grounds for bringing an appeal, subject to the Appellant having a opportunity to make representations against the making of such an Order, or if the Appellant , without reasonable excuse, fails to comply with these Directions.
4. The Respondent shall, from 35 days of the date of these Directions, provide a written submission, copied at the same time to the Appellant addressing any response from the Appellant to these Tribunal Directions.
5. Either party shall be at liberty to apply in writing (copied to the other party, seeking its / her consent, if appropriate), to vary, add to or substitute any of these Directions, so long as it / she does so before the time for compliance has expired and stating its / her reasons for such application.
6. Upon hearing from the parties in response to these Directions, the Tribunal shall, inter alia, consider whether it may be appropriate to hold a pre-hearing review of this appeal, pursuant to Rule13 of the Rules, having regard, in particular, to the Appellant's stated medical conditions, giving further directions appearing necessary or desirable to securing the just, expeditious and economical conduct of this appeal, or to hold a preliminary hearing, pursuant to Rule 14 of the Rules if it appears to the Tribunal that any preliminary question of fact or law appears to be at issue in relation to the appeal or to determine any such preliminary question on the papers only without a hearing.

Signed: **D. McMahon**
President,
Charity Tribunal for Northern Ireland

Date: **9 April 2026**