

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

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**IN THE CHARITY TRIBUNAL FOR NORTHERN IRELAND**

**IN THE MATTER OF A REFERENCE PURSUANT TO SCHEDULE 4 TO THE  
CHARITIES ACT (NORTHERN IRELAND) 2008**

**INITIAL DIRECTIONS**

**UPON** a Reference pursuant to paragraph 2(b) to Schedule 4 of the Charities Act (Northern Ireland) 2008 ('the Act') having been made to the Charity Tribunal for Northern Ireland ('the Tribunal') by the Attorney-General for Northern Ireland ('the Attorney-General') on 01/12/2021.

**AND UPON** details of that Reference having been published on the JudiciaryNI website on 08/03/2022.

**IT IS DIRECTED THAT**

1. Any application by any person for permission to be joined as a party to the determination of the Reference by the Tribunal, pursuant to paragraph 2(3) to Schedule 4 of the Act shall be made in writing by **Friday 06/05/2022 at 4.00pm** addressed to:

**The Secretary,  
The Charity Tribunal for Northern Ireland,  
Tribunal Hearing Centre,  
The Annex,  
2<sup>nd</sup> Floor,  
Royal Courts of Justice,  
Chichester Street,  
Belfast, BT1 3JF.**

or by email, within the same time period, to: [Kevin.McQuillan@courtsni.gov.uk](mailto:Kevin.McQuillan@courtsni.gov.uk)

2. The Tribunal shall invite, in due course, the Attorney-General to make written submissions before determining:

- (1) Whether to extend time, if applicable, for the making of an application by any person pursuant to Rule 3 of the Rules, to be joined as a party to the determination of the Reference by the Tribunal;
  - (2) to join any applicant as a party pursuant to paragraph 2(3) to Schedule 4 and Rule 38(6) of the Rules; and,
  - (3) before making any consequential further Directions.
3. The Attorney-General shall have permission to apply for further Directions.
  4. The Charity Commission for Northern Ireland ('the Commission'), of its own volition, by email correspondence dated 21/12/2021 declined to be joined as a party to the determination of the Reference by the Tribunal: it shall not be joined as a party.
  5. The Attorney-General, pursuant to paragraph 2(2) to Schedule 4 of the Act is a party to the determination of the Reference by the Tribunal.
  6. While a number of persons have already intimated a wish to be joined as parties to the determination of the Reference by the Tribunal, a formal application will require to be made by each of such persons, or any other person, who considers that they satisfy the statutory criteria set out in paragraph 1(4) to Schedule 4 of the Act to be joined as a party, subject to a decision by the Tribunal on any such application, pursuant to these Directions.
  7. Any person contemplating making an application to be joined as a party to the determination of the Reference by the Tribunal must be aware that determination of a Reference involves the Tribunal considering a discrete general question of charity law in Northern Ireland, of general application, as set out in the Reference, rather than a consideration of a specific decision or Order made by the Commission.
  8. Any such person must explain in their application to the Tribunal to be joined as a party to the determination of the Reference by the Tribunal, the category of person into which they consider they fall to be permitted to be joined as a party, pursuant to paragraph 2(3)(b) to Schedule 4 of the Act.
  9. If any such person makes application on the basis that they consider they are likely to be affected by the determination of the reference by the Tribunal, pursuant to paragraph 2(3)(b)(iii) to Schedule 4 of the Act, they must explain in their application the basis of that submission by strict reference to the precise question of charity law identified by the Attorney-General in its Reference to the Tribunal.

Signed

A handwritten signature in black ink, consisting of a series of connected loops and curves, positioned below the word 'Signed'.

**Damien J. McMahon**  
**President**

Date: 7 April 2022