FIRST-TIER TRIBUNAL (CHARITY)
GENERAL REGULATORY CHAMBER

Appellant

ANTHONY JOHN HALL
(R-U-ABLE2 1156257)

- and -

THE CHARITY COMMISSION FOR   **Respondent**
ENGLAND AND WALES

JUDGE ALISON MCKENNA

Sitting in Chambers on 24 August 2017

Upon the Appellant submitting a Notice of Appeal dated 21 August 2017

IT IS DIRECTED that this appeal is struck out pursuant to rule 8 (2) (a) of The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 as the Tribunal has no jurisdiction to determine it.

REASONS

1. The Notice of Appeal in this case is in respect of the Respondent's Order under s. 105 of the Charities Act 2011. The Notice of Appeal refers to a Decision made in May 2017, received in August 2016. The copy Order I have seen is dated 9 August 2016, so I have treated the Notice of Appeal as being against that Order. I am not sure of the Appellant's standing in relation to the Charity mentioned, so I have not considered whether he is a person entitled to bring an

appeal to the Tribunal. I have not investigated that point further for the following reason.

2. The Tribunal may only accept applications which relate to a decision which is listed in schedule 6 to the Charities Act 2011. I am satisfied that no decision which gives rise to a right of appeal to the Tribunal has been made in this case because the right of appeal created by Parliament is against a <u>refusal</u> to make an Order under s. 105 only, and does not include a right of appeal against an Order that has already been made under that section.

3. The Notice of Appeal is of course submitted considerably out of time. I have discretion to admit an appeal that is made out of time, but in this case I have not considered whether to do so because I am satisfied that the Tribunal has no jurisdiction in this matter and so the Tribunal's Rules require me to strike this appeal out. I have directed accordingly.

(Signed on the original)

Alison McKenna
PRINCIPAL JUDGE   **24 August 2017**