



Dissatisfied with one of the Charity Commission's decisions: how can we help you?

1. Introduction

In the course of its day to day work, the Charity Commission makes regulatory decisions relating to the exercise of its functions and use of its powers. This guidance tells you what you can do if you are unhappy with one of the Commission's decisions. This service has been available to charity trustees and those affected by the decision of the Commission for many years. However, the Commission have updated its guidance to reflect developments in how it handles this procedure.

1.1 What is a decision?

The Charities Act 2011 sets out a range of powers that the Commission can use to enable it to fulfil its statutory objectives to:

- increase public trust and confidence in charity
- promote awareness and understanding of the public benefit requirement
- promote compliance by charity trustees with their legal obligations to exercise control and manage the administration of their charity
- promote the effective use of charitable resources enhance the accountability of charities to donors, beneficiaries and the general public

Under the Charities Act the Commission have a range of powers to make decisions, including decisions about whether or not to register charities, to give advice and guidance and make schemes and orders, and to exercise powers of investigation and remedy in cases of abuse.

There are so many decisions that it can make that it is not possible to describe them all. Decisions include making:

Directions: Directions are actions specified of charity trustees and others in the administration of a charity. They may be used during the course of our compliance work and to ensure the proper administration of a charity.

Schemes: Broadly speaking, a scheme can change or replace the trusts of a charity. However, some types of schemes do other things (such as creating a Common Investment Fund).

Orders: Orders can be used in many circumstances; they can authorise trustees to do something that their trusts don't otherwise allow, or to do something which is in the interest of the charity (such as transfer property to the Official Custodian). They can also be used to appoint trustees and to protect charities and their property.

Where the Commission have made a scheme or an order, it may only be able to set it aside if it was made by mistake, or as a result of a misrepresentation, or the relevant requirements of the Charities Act were not carried out.

Some decisions are decisions not to do something, for example not to register a charity, not to give consent or not to exercise a legal power.

1.2 Decisions - the Commission's commitment to you

The Commission are committed to making decisions which, taking into account the facts and circumstances of the case, are:

- legally correct
- fair
- proportionate
- consistent

The Commission aim to get its decisions right first time on every occasion, but it knows that sometimes it can make decisions which those who may be affected by the decision disagree with. If you consider that the Commission have got its decision wrong, you may request that the decision is reviewed through the Commission's decision review procedure. It will not carry out a review in all cases but this guidance sets out its policies and procedures.

1.3 Challenging a decision of the Commission

Many of the Commission's decisions can be challenged through its decision review procedure (see section 3). They may also be challenged directly through the First-tier Tribunal (Charity), which is referred to in this guidance as 'the Tribunal'.

The law allows only certain types of decisions to be challenged through the Tribunal. However, if it is not possible for you to challenge the Commission's decision through the Tribunal, you may still be able to challenge it through the Courts.

There is no requirement that you engage the Commission's decision review procedure before appealing to the Tribunal. You may approach the Tribunal direct.

1.4 The First-tier Tribunal (Charity)

The Tribunal is an independent legal body which has the power to look again at some of the decisions made by the Commission and to quash, change or add to them. In some cases the Tribunal may direct the Commission to take further action or rectify its decision.

An application to the Tribunal must be received by the Tribunal within 42 days of the date on which the notice of the Commission's decision was sent to you. If you are not the subject of the decision, an application must be received by the Tribunal within 42 days of the date

on which the decision was published. Weekends and bank holidays are included in the 42 days.

There are some limitations about which types of decision can be considered by the Tribunal and who can apply. Decisions which may be considered by the Tribunal, and who can apply, are listed in Schedule 6 of the Charities Act 2011. You can use the table in Annex A to check if the decision you disagree with may be considered by the Tribunal. The Tribunal aims to complete all of its cases within 30 weeks.

You do not need to use the Commission's Decision Review procedure before applying to the Tribunal, but you may wish to consider the advantages and disadvantages of using its Decision Review process before doing so.

It is free to make an application to the Tribunal. If you decide to take professional advice to help with your application you will have to pay your own costs. However, details about pro bono (free) advice can be found on the Tribunal website. The Tribunal has a power to make a costs order if it concludes that a party has acted unreasonably in bringing, defending or conducting the proceedings, or if it considers that the Commission's decision, direction or order was unreasonable.

For further information about the Tribunal, please see the Tribunal website or contact the Tribunal.

1.5 The Commission's decision review service

The Commission are committed to making its procedure a quick, easy and cost-effective way for you to challenge its decision. If it agrees to conduct a review, it will reconsider the original decision to determine whether it is legitimate and justifiable within the facts and circumstances of the case. At the end of the review the Commission will clearly explain its decision and what further action, if any, it will take.

If the Commission agree to review a decision, it will always refer the matter to someone who did not make the original decision and who is, usually, senior to the original decision maker.

The Commission aims to ensure that it complies with all aspects of the Parliamentary and Health Service Ombudsman's 'Principles of Good Administration' in all aspects of service delivery which can be viewed at www.ombudsman.org.uk.

If the Commission find that it got the decision wrong in the first instance, or that new information or circumstances enables it now to substitute a different decision, it will take steps to put things right as quickly as possible and make sure that it learns from this as an organisation.

An advantage of using the Commission's procedure is that it does not affect your right to take your concerns to the Tribunal. However, you should consider whether asking for a

decision review will take you outside of the time limit within which you can make an application to the Tribunal (see 1.4).

If you are unsure if a decision review will disadvantage you in this way, please [contact the Commission](#).

The Commission will not usually review a decision itself once you have referred it to the Tribunal.

1.6 Time limits for decision review

There are time limits to requesting a decision review. The Commission ask that if you wish to challenge one of its decisions you tell it within 3 months of the date on which the notice of its decision was sent to you.

If you are not the subject of the decision, an application must be received within 3 months of the date of publication of the decision.

1.7 How can I request a decision review?

You can apply online for a decision review. Because there are many different types of decision which the Commission can make, it has separate sections in this guidance to cover certain types of decisions.

To be certain that the Commission have a full and accurate understanding of the decision you want it to review, it needs requests for decision review to be made in writing. Please let the Commission know if there is any reason why you are unable to provide your decision review request in writing as it may be possible for the Commission to offer you assistance.

1.8 Other options

Standards of service

If you are unhappy about the way in which the Commission have handled your case, or feel that you have not received a service which you were entitled to, you can [complain to the Commission](#). A member of staff will look into your complaint for you.

2. This guidance at a glance

This page provides a quick reference to the contents of this guidance.

Part 3 tells you how to ask for a review of a decision the Commission have made.

Part 4 explains how you can make representations in response to the publication of a draft order or scheme and how the Commission will handle your comments.

Annex A reproduces the table in Schedule 6 of the Charities Act 2011.

3. Requesting a review of one of the Commission's decisions

This section tells you how to ask for a review of one of the Commission's decisions and how it will handle your application.

Use this procedure if:

You have recently been notified of a decision that the Commission has made.

3.1 What is a decision?

A decision is any decision that the Commission make using its powers as set out in the Charities Act 2011.

Depending on the type of decision the Commission make, the review process can vary, so it has different procedures for reviewing different types of decisions. This procedure can be used to request a review of most of the Commission's decisions, although special reviewing procedures apply for the decisions listed below.

Use this procedure if you want to challenge one of the Commission's decisions, unless you want to:

- tell the Commission your views about a published draft order or scheme which it is considering (in which case, go to Part 4)
- request that the Commission reconsider its response to a freedom of information request or data subject access request (in which case, please see the [complaints procedure](#) for guidance on reviews of freedom of information or subject access requests)

3.2 What decisions can be challenged?

You can use the Commission's procedure to request a review of any decision which is set out in Schedule 6 to the Charities Act (see Annex A) and any decision either to exercise or not to exercise a legal power which is not listed in schedule 6.

The only exceptions to this rule are:

- that the Commission will not offer a review of a decision to grant consent to a charity (whether the type of consent granted is listed in schedule 6 or not). This is because the Commission are not able to quash or set the decision aside as it has no statutory authority to do so. Once consent is given, only the tribunal or court can overturn it (depending on the nature of the consent)
- decisions to refuse consent to an audit dispensation do not fall within the decision review process as they are subject to a separate review procedure

NB: Decisions to refuse consent can be taken to decision review because it is open to the Commission to change its decision.

Not all requests for a review of a decision listed above will be accepted. The Commission will usually refuse to conduct a review where:

- the decision the Commission are being asked to review has already been subject to a decision review or has been made after detailed consideration at a senior level (this will usually be notified to you at the time the decision is sent)
- the decision is not one which falls within the type of decisions which can be reviewed (see above)
- the applicant is not a person entitled to request a decision review
- there is a more appropriate procedure available for dealing with the issues raised (for example our complaints process)
- where the matter is subject to ongoing litigation proceedings
- on an initial look at the application the Commission is satisfied that the decision made is correct and a review would serve no real purpose

If your request for decision review is declined, you may still be able to challenge the original decision in the Tribunal or the Courts.

The Commission may also, at its discretion, agree to review decisions which are not set out above but which:

- have a significant impact on a charity or its beneficiaries
- are likely to be challenged in the Courts (eg through judicial review), or
- are of significant public interest

3.3 Who can ask for a decision review?

The Commission will only normally accept an application for a decision review from someone who is eligible to apply to the Tribunal. You can use the table in Annex A to see if you are eligible to request a decision review.

An advocate or representative may request a decision review on your behalf, but if they are not a professional representative such as a lawyer, the Commission may need to ask you for written confirmation that they are acting on your behalf.

If the review is not of a matter which is capable of challenge in the Tribunal the Commission will usually only accept an application for review from the charity (or its trustees), the subject of the decision or any person who has a 'sufficient interest in the matter to which the application relates'. When considering whether a person has a sufficient interest in the matter to which the application relates it will apply the same test used by the courts.

3.4 Temporary protective orders

Some orders that the Commission make to protect a charity are temporary and will be discharged when no longer needed. For example, an order appointing an interim manager, suspending a trustee or freezing a charity's assets. It is a legal requirement that the Commission review these temporary orders on a regular basis. Temporary protective order reviews are automatically carried out by the Commission's Investigations, Monitoring and Enforcement (IME) team. The Commission will write to the charity to let it know the outcome on every occasion.

If you are unhappy with the outcome of one of the Commission's temporary protective order reviews, you can ask it to review its decision. In the first instance, the IME team will look at your application to decide if circumstances have changed and the order should be discharged or varied. If the order is not discharged or varied, the Commission will initiate a decision review.

3.5 How to request a decision review

You may challenge some of the Commission's decisions directly through the Tribunal. You do not need to use the Commission's own decision review procedure before applying to the Tribunal.

However, the Commission will not usually review a decision itself once you have referred it to the Tribunal or the Courts.

Use the [online form](#) to apply for a decision review. Be sure to:

- tell the Commission why you think its decision is wrong
- provide the Commission with any new information or evidence you have that may help it when the decision is reviewed (you do not need to resend information already provided)
- tell the Commission why a different decision is in the best interest of the charity
- tell the Commission what your interest is in the charity and your connection to it

To be certain that the Commission have a full and accurate understanding of the decision you want it to review, it needs requests for decision review to be made in writing. Please let the Commission know if there is any reason why you are unable to provide your decision review request in writing as it may be possible to offer you assistance.

3.6 Time limits

There are time limits to requesting a decision review. The Commission ask that you tell them within 3 months if you want to challenge one of its decisions.

If, for any reason, you are unable to apply for a decision review within the time limit, please tell the Commission as soon as possible. In exceptional circumstances it may be able to

extend the time limit. You will need to let the Commission know why you need more time so that it can decide whether it is possible to give you an extension.

If for any reason you cannot apply in writing, please contact the Commission as soon as possible and it will consider other ways for you to make your application.

3.7 What happens next?

Once the Commission have received your application it will start the formal process to consider your application for review. If for any reason the Commission think that the decision review process is not an appropriate way forward, it will tell you and explain what alternatives are available to you.

Step 1 – eligibility

The first step will be to check whether the decision you want reviewed falls within the Commission's procedure and that you qualify as a person who meets the eligibility criteria. It will also take into account any reasons why the review should not go forward. The Commission aim to complete this stage within 10 working days.

Step 2 – decision review

Once the Commission have decided that a decision review should take place, it will appoint someone to review the decision. All reviews are carried out by a member of the Commission's staff or its Board members. Some are conducted by a single reviewer, while others are considered by a panel. The seniority of the people involved varies from case to case and is dependent on the nature of the decision to be reviewed and the level at which the original decision was made.

However, to ensure that the review is carried out objectively, the reviewer will not be the person who made the original decision.

In cases where the Commission's decision directly affects the rights of an individual or an organisation (such as a decision to remove a trustee or remove a charity from the register) or imposes obligations on a charity (such as a direction to produce documents or attend a meeting), the applicant will (unless exceptional circumstances apply) get the opportunity to speak to the reviewer to discuss any information deemed relevant and to ensure that the reviewer has a clear understanding of the facts and issues before making a decision. In other cases the Commission may also find it helpful to check that it has understood the points raised by decision review applicants and to clarify anything that is not clear from the information provided. Therefore the reviewer or panel members may contact you by telephone or in writing. You do not have to speak to the reviewer or panel if you do not wish to.

The amount of time a review takes can vary a great deal, depending on the characteristics of the case and its complexity. The Commission may also need to speak to the trustees or other parties who have information or whose views it is necessary to take into account

before a decision is reached. It aims to complete this step within 3 months of receiving your completed application, but in most cases the Commission are able to complete its reviews more quickly. The Commission will tell you at the outset how long it thinks the review will take and will let you know if that timescale changes.

Step 3 – the decision

The decision maker(s) will take into account all of the information that they have, to decide whether the original decision was correct or whether it should be changed or discharged either in full or part.

Once the Commission's decision has been made it will write to you and let you know the result of the review, what the decision is and the reasons for it.

Step 4 – outcomes

When the Commission review decisions, there may be a number of outcomes. It may decide that:

- the original decision was correct and appropriate in the circumstances, or
- the original decision should be changed or discharged, either in full or in part

The Commission may decide to change or discharge its decision, in full or in part, this does not necessarily mean that it was wrong; circumstances may have changed or new information come to light which has changed the Commission's perspective.

The Commission may decide that its decision can be varied in any way, or discharged, it will let you know what steps are required and what action it will be taking. If it decides to change an order or scheme, or discharge it in full or in part, this will usually be taken forward by one of the Commission's case-working divisions.

In most circumstances, the outcomes will be appropriate for resolving the points you have raised. If, in exceptional circumstances, the Commission consider that other remedies may be necessary it will refer these to the Business Assurance team.

Very occasionally, the Commission may decide that further work is needed before it can make a decision. If this is the case, it will refer the case back to the original case-working division who will, once their work is completed, pass the case back to the reviewer to make the final decision.

3.8 Application to the First-tier Tribunal (Charity)

If you are dissatisfied with the Commission's decision at the end of the review, you may be able to apply to the Tribunal. Your application should be made to the Tribunal within 42 days of the date on which the notice of the Commission's decision was sent to you. If you are not the subject of the decision, you have 42 days from the date when the decision was published. In both cases weekends and bank holidays are included in the 42 days.

Where a decision review is sought in relation to a decision which is in the form of an order, direction or other decision in relation to the exercise of a legal power which if after a review cannot be viewed as a fresh decision, the 42 day period will run from the date of the original publication (see 1.5 for examples of such decisions). Consequently, if you wish to have the decision reviewed by the Commission and this is likely to take the period beyond 42 days you are advised to make a protective application for appeal or review pending the outcome of the Commission's review. With those temporary and protective orders falling within paragraph 3.4, a further opportunity for appeal or review will arise as a result of any internal periodic review as referred to in that paragraph.

There are some limitations about which types of decision can be considered by the Tribunal and who can apply. Decisions which may be considered by the Tribunal, and who can apply, are listed in Schedule 6 of the Charities Act. You can use the table in Annex A to check if the decision you disagree with may be considered by the Tribunal. If so, you may be able to apply to the Tribunal to have the decision you disagree with reconsidered.

3.9 Publishing decision review outcomes

Decisions which arise from reviews of the Commission's original decisions often have a wider interest and may have far-reaching consequences for charities in general. For this reason the Commission may publish a summary of its decision review decision on [GOV.UK](https://www.gov.uk). In some cases it will also publish the whole decision document in its key decisions section, if it thinks that it will serve a public interest.

3.10 Help the Commission to help you

You can help the Commission to review its decision effectively, by:

- telling the Commission straight away why you think a temporary protective order should be discharged or varied
- telling the Commission within 3 months if you are dissatisfied with one of its decisions
- completing the online form or email litigationandreview@charitycommission.gov.uk telling the Commission why you think its decision is wrong
- providing the Commission with all the information you have that supports your view and that may help it to reconsider its decision

3.11 Standard of service complaint

The decision review process looks at whether a decision was the right one in the circumstances. If you are concerned about the way the Commission have handled your case, rather than its decision, you may wish to use its [complaints procedure](#).

4. Making representations about draft orders and schemes

This section tells you how to make representations in response to the publication of a draft order or scheme and how the Commission will handle your comments.

Use this procedure if:

You wish to give the Commission comments about a draft order or scheme which it has published.

If you wish to request a review of an order or a scheme which the Commission have already authorised, see Part 3 of this guidance.

4.1 What are published draft orders and schemes?

The Commission give publicity to some orders and schemes before they are made – these are known as draft orders and schemes. It will publish a draft order or scheme if the law says it should, or if it decides that it would like to invite people to tell the Commission their views because it considers that the order or scheme may create a great deal of interest, is high profile or might be contentious.

The Commission do this in the form of a notice which is designed to inform the public about the proposals and invite comments or representations. The notice, which could be posted at the charity's premises, on local notice boards or in a newspaper, will also appear on [GOV.UK](https://www.gov.uk).

When the Commission considers making an order or scheme this will usually be because the trustees of a charity have asked it to do so. The Commission would normally expect the trustees to have consulted with people who might object to the order or scheme before making an application.

4.2 What is a representation?

A representation is when you tell the Commission your views about a draft order or scheme which it has published. You may wish to tell the Commission whether you are in favour of a draft order or scheme or whether you are opposed to it.

4.3 Who can make a representation?

Anyone can make a representation following the publication of a draft order or scheme. The Commission will consider all representations that are made within the time limits of the publication period, which will be specified in the notice.

Representations can be made by an advocate or a representative on your behalf, but if they are not a professional representative, such as a lawyer, the Commission may need to ask you for written confirmation that they are acting on your behalf.

4.4 How to make a representation

You can make your representation by following the instructions in the Commission's guidance on [how to view and make representations on draft schemes and orders](#).

You may wish to tell the Commission:

- why you support the order or scheme
- why you do not agree with the order or scheme
- what impact you think it will have on the charity, and
- what your particular interest is in the charity and why

To be certain that the Commission have a full and accurate understanding of the points you want it to consider, it needs your representations to be made in writing. Please let the Commission know if there is any reason why you are unable to do this as it may be possible to offer you assistance.

4.5 Time limits

Normally the Commission are only able to consider representations which have been made during the publication period.

The notice will clearly specify the publication period within which the Commission will need to receive your comments or representations. Most commonly, it will publicise draft orders and schemes for 1 calendar month, but the period of notice might be shorter or longer depending on the circumstances.

If the commission do not receive any representations during the publication period it will usually authorise the order or scheme the first working day after that publication period has ended. It is essential, therefore, that you check when the publication period ends and make sure that the Commission have received your representation on or before the last day.

If for any reason you wish to make a representation, but cannot do so within the publication period, please tell the Commission as soon as possible. You will need to let the Commission know why you need more time so that it can decide whether it is possible to give you an extension.

If for any reason you cannot make your representation in writing, please contact the Commission as soon as possible and it will consider whether it is possible for you to make oral representations.

4.6 What happens next?

Step 1 – considering your representations

At the end of the publication period, the part of the Commission that is making the order or scheme will look at your representations alongside any others that have been made.

In most cases, it will look at the representations made within the decision review process. However, it might occasionally be able to deal with representations informally, for example, if it is clear to the Commission that it needs to do further work with the charity before the draft order or scheme could be approved. If the Commission thinks that it can deal with your representation informally, it will contact you to tell you how it will handle the points you have raised.

If the Commission decide that changes are required to the draft order or scheme at this stage to enable it to go ahead, it is usually able to proceed without the need for further publication. Very occasionally, the Commission may decide to publicise it if it would like to invite further comments.

If it is not possible to deal with your representations informally, the Commission will carry out a decision review. It will tell you if it decides to take this step.

Step 2 – decision review

Once the Commission have decided that a decision review needs to take place, it will appoint someone to review the decision. All reviews are carried out by a member of the Commission's staff or its Board members. Some are conducted by a single reviewer, while others are considered by a panel. The seniority of the people involved varies from case to case and is dependent on the nature of the decision to be reviewed and the level at which the original decision was made.

In most cases the Commission will rely on the written representations submitted to it. However there may be circumstances where it needs to check that it has understood the points raised by people who have made representations and to clarify anything that is not clear from the information provided. Therefore the reviewer may contact you by telephone or in writing. You do not have to speak to the reviewer or panel if you do not wish to.

The Commission may also need to speak to the trustees and/or other parties who may have relevant information or whose views are important to take into account before any decision can be made.

The amount of time a review takes can vary a great deal, depending on the characteristics of the case and its complexity. The Commission aim to complete this step within 3 months of the end of the publication period, but in most cases it is able to complete its reviews more quickly. It will tell you at the outset how long it thinks the review will take and will let you know if that timescale changes.

Step 3 – the decision

The decision maker(s) will take into account all of the information that they have. Once the Commission's decision has been made it will write to you and let you know the result of the review. When it writes it will let you know exactly what the decision is and the reasons for it. It will let you know if any further action is required and whether there are any further steps it will be taking.

Step 4 – outcomes

Several outcomes are possible as a result of the review, the Commission:

- may decide to authorise the order or scheme without making any changes. This will usually happen the next working day after the decision is made
- may decide to authorise the order or scheme after making some changes. It can make these changes without a further publication period. However, if it thinks it would be beneficial to do so, it will publicise the changes for a further publication period and you will have the opportunity to make further representations
- may decide that further work is needed before it can make a decision. If this is the case, it may refer the case back to the original case-working division who will, once their work is completed, pass the case back to the reviewer to make the decision
- may decide not to proceed with the order or scheme

The Commission may decide to not to proceed with or change the draft order or scheme, this does not necessarily mean that it was wrong; circumstances may have changed or new information come to light which has changed its perspective.

In most circumstances, the outcomes described above will be appropriate for resolving the points you have raised. If, in exceptional circumstances, the Commission consider that other remedies may be necessary it will refer these to the Business Assurance team.

4.7 Application to the First-tier Tribunal (Charity)

If you are dissatisfied with the Commission's decision at the end of the review, you may be able to apply to the [Tribunal](#). Your application should be made to the Tribunal within 42 days of the date on which the notice of our decision was sent to you. If you are not the subject of the decision, you have 42 days from the date the decision was published. In both cases weekends and bank holidays are included in the 42 days.

There are some limitations about which types of decision can be considered by the Tribunal and who can apply. Decisions which may be considered by the Tribunal, and who can apply, are listed in Schedule 6 the Charities Act. You can use the table in Annex A to check if the decision you disagree with may be considered by the Tribunal. If so, you may be able to apply to the Tribunal to have the decision you disagree with reconsidered.

Please note that if the outcome of the review is that an order should be made, the action which is appealable to the Tribunal is the making of the order and not the decision to make

the order (though these will usually occur at the same time). The 42 day time limit starts to run from the date the order is made.

4.8 Publishing decision review outcomes

Decisions which arise from reviews of the Commission's original decisions often have a wider interest and may have far-reaching consequences for charities in general. For this reason the Commission may publish a summary of its decision review decisions on [GOV.UK](https://www.gov.uk). In some cases it will also publish the whole decision document, if it thinks that it will serve a public interest.

4.9 Help the Commission to help you

You can help the Commission to review your representations effectively, by:

- using the 'Make Representation' button from the publication notice online
- providing the Commission with any information you have that supports your view and that will help it to decide whether or not the draft order or scheme should go forward

4.10 Standard of service complaint

The Commission's process for reviewing representations looks at the reasons as to whether or not a draft order or scheme should go ahead. If you are concerned about the way the Commission have handled your case, rather than its decision, you may wish to use the [complaints procedure](#).

Annex A Table: Schedule 6 of the Charities Act 2011

Appeals and applications to Tribunal

1 Decision, direction or order	2 Appellants/applicants (see sections 319(2)(b) and 321(2)(b))	3 Tribunal powers if appeal or application allowed
Decision of the Commission not to give a direction under section 12(1) or (2) in relation to an institution or a charity.	The persons who are the trustees of the institution or charity concerned.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Decision of the Commission under section 30 or 34 - (a) to enter or not to enter an institution in the register of charities, or (b) to remove or not to remove an institution from the register.	The persons are- (a) the persons who are or claim to be the charity trustees of the institution, (b) (if a body corporate) the institution itself, and (c) any other person who is or may be affected by the decision.	Power to quash the decision and (if appropriate) - (a) remit the matter to the Commission, (b) direct the Commission to rectify the register.
Decision of the Commission not to make a determination under section 38(3) in relation to particular information contained in the register.	The persons are - (a) the charity trustees of the charity to which the information relates, (b) (if a body corporate) the charity itself, and (c) any other person who is or may be affected by the decision.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Direction given by the Commission under section 42 requiring the name of a charity to be changed.	The persons are - (a) the charity trustees of the charity to which the direction relates, (b) (if a body corporate) the charity itself, and (c) any other person who is or may be affected by the direction.	Power to - (a) quash the direction and (if appropriate) remit the matter to the Commission, (b) substitute for the direction any other direction which could have been given by the Commission.
Decision of the Commission to institute an inquiry under section 46 with regard to a particular institution.	The persons are - (a) the persons who have control or management of the institution, and (b) (if a body corporate) the Institution itself.	Power to direct the Commission to end the inquiry.

<p>Decision of the Commission to institute an inquiry under section 46 with regard to a class of institutions.</p>	<p>The persons are - (a) the persons who have control or management of any institution which is a member of the class of institutions, and (b) (if a body corporate) any such institution.</p>	<p>Power to - (a) direct the Commission that the inquiry should not consider a particular institution, (b) direct the Commission to end the inquiry.</p>
<p>Order made by the Commission under section 52 requiring a person to supply information or a document.</p>	<p>The persons are any person who is required to supply the information or document.</p>	<p>Power to - (a) quash the order, (b) substitute for all or part of the order any other order which could have been made by the Commission.</p>
<p>Order made by the Commission under section 69(1) (including such an order made by virtue of section 92(2)).</p>	<p>The persons are - (a) in a section 69(1)(a) case, the charity trustees of the charity to which the order relates or (if a body corporate) the charity itself, (b) in a section 69(1)(b) case, any person discharged or removed by the order, and (c) any other person who is or may be affected by the order.</p>	<p>Power to - (a) quash the order in whole or in part and (if appropriate) remit the matter to the Commission, (b) substitute for all or part of the order any other order which could have been made by the Commission, (c) add to the order anything which could have been contained in an order made by the Commission.</p>
<p>Order made by the Commission under section 76(3) in relation to a charity.</p>	<p>The persons are - (a) the charity trustees of the charity, (b) (if a body corporate) the charity itself, (c) in a section 76(3)(a) case, any person suspended by the order, and (d) any other person who is or may be affected by the order.</p>	<p>Power to - (a) quash the order in whole or in part and (if appropriate) remit the matter to the Commission, (b) substitute for all or part of the order any other order which could have been made by the Commission, (c) add to the order anything which could have been contained in an order made by the Commission.</p>
<p>Decision of the Commission - (a) to discharge an order following a review under section 76(6), or (b) not to discharge an order following such a review.</p>	<p>The persons are - (a) the charity trustees of the charity to which the order relates, (b) (if a body corporate) the charity itself, (c) if the order in question was</p>	<p>Power to - (a) quash the decision and (if appropriate) remit the matter to the Commission, (b) make the discharge of the order subject to savings or other transitional provisions, (c) remove any savings or</p>

	<p>made under section 76(3)(a), any person suspended by it, and</p> <p>(d) any other person who is or may be affected by the order.</p>	<p>other transitional provisions to which the discharge of the order was subject,</p> <p>(d) discharge the order in whole or in part (whether subject to any savings or other transitional provisions or not).</p>
<p>Order made by the Commission under section 79(2) in relation to a charity.</p>	<p>The persons are -</p> <p>(a) the charity trustees of the charity,</p> <p>(b) (if a body corporate) the charity itself,</p> <p>(c) in a section 79(2)(a) case, any person removed by the order, and</p> <p>(d) any other person who is or may be affected by the order.</p>	<p>Power to -</p> <p>(a) quash the order in whole or in part and (if appropriate) remit the matter to the Commission,</p> <p>(b) substitute for all or part of the order any other order which could have been made by the Commission,</p> <p>(c) add to the order anything which could have been contained in an order made by the Commission.</p>
<p>Order made by the Commission under section 80(1) of this Act removing a charity trustee.</p>	<p>The persons are -</p> <p>(a) the charity trustee,</p> <p>(b) the remaining charity trustees of the charity of which he was a charity trustee,</p> <p>(c) (if a body corporate) the charity itself, and</p> <p>(d) any other person who is or may be affected by the order.</p>	<p>Power to -</p> <p>(a) quash the order in whole or in part and (if appropriate) remit the matter to the Commission,</p> <p>(b) substitute for all or part of the order any other order which could have been made by the Commission,</p> <p>(c) add to the order anything which could have been contained in an order made by the Commission.</p>
<p>Order made by the Commission under section 80(2) appointing a charity trustee.</p>	<p>The persons are -</p> <p>(a) the other charity trustees of the charity,</p> <p>(b) (if a body corporate) the charity itself, and</p> <p>(c) any other person who is or may be affected by the order.</p>	<p>Power to -</p> <p>(a) quash the order in whole or in part and (if appropriate) remit the matter to the Commission,</p> <p>(b) substitute for all or part of the order any other order which could have been made by the Commission,</p> <p>(c) add to the order anything which could have been contained in an order made by the Commission.</p>

Order made by the Commission under section 83(2) which suspends a person's membership of a charity.	The persons are - (a) the person whose membership is suspended by the order, and (b) any other person who is or may be affected by the order.	Power to quash the order and (if appropriate) remit the matter to the Commission.
Order made by the Commission under section 84(2) which directs a person to take action specified in the order.	The persons are any person who is directed by the order to take the specified action.	Power to quash the order and (if appropriate) remit the matter to the Commission.
Order made by the Commission under section 85(2) which directs a person to apply property in a specified manner.	The persons are any person who is directed by the order to apply the property in the specified manner.	Power to quash the order and (if appropriate) remit the matter to the Commission.
Order made by the Commission under section 87(3) in relation to a person holding property on behalf of a body entered in the Scottish Charity Register or of any person concerned in its management or control.	The persons are - (a) the person holding the property in question, and (b) any other person who is or may be affected by the order.	Power to quash the order and (if appropriate) remit the matter to the Commission.
Order made by the Commission under section 93(2) in relation to any land vested in the official custodian in trust for a charity.	The persons are - (a) the charity trustees of the charity, (b) (if a body corporate) the charity itself, and (c) any other person who is or may be affected by the order.	Power to - (a) quash the order and (if appropriate) remit the matter to the Commission, (b) substitute for the order any other order which could have been made by the Commission, (c) add to the order anything which could have been contained in an order made by the Commission.
Decision of the Commission not to make a common investment scheme under section 96.	The persons are - (a) the charity trustees of a charity which applied to the Commission for the scheme, (b) (if a body corporate) the charity itself, and (c) any other person who is or may be affected by the decision.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Decision of the Commission not to make a common deposit scheme under section 100.	The persons are - (a) the charity trustees of a charity which applied to the	Power to quash the decision and (if appropriate) remit the matter to the Commission.

	Commission for the scheme, (b) (if a body corporate) the charity itself, and (c) any other person who is or may be affected by the decision.	
Decision by the Commission not to make an order under section 105 in relation to a charity.	The persons are - (a) the charity trustees of the charity, and (b) (if a body corporate) the charity itself.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Direction given by the Commission under section 107 in relation to an account held in the name of or on behalf of a charity.	The persons are - (a) the charity trustees of the charity, (b) (if a body corporate) the charity itself, and (c) any other person who is or may be affected by the order.	Power to - (a) quash the direction and (if appropriate) remit the matter to the Commission, (b) substitute for the direction any other direction which could have been given by the Commission, (c) add to the direction anything which could have been contained in a direction given by the Commission.
Order made by the Commission under section 112 for the assessment of a solicitor's bill.	The persons are - (a) the solicitor, (b) any person for whom the work was done by the solicitor, and (c) any other person who is or may be affected by the order.	Power to - (a) quash the order, (b) substitute for the order any other order which could have been made by the Commission, (c) add to the order anything which could have been contained in an order made by the Commission.
Decision of the Commission not to make an order under section 117 in relation to land held by or in trust for a charity.	The persons are - (a) the charity trustees of the charity, (b) (if a body corporate) the charity itself, and (c) any other person who is or may be affected by the decision.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Decision of the Commission not to make an order under section 124 in relation to a mortgage of land held by or in trust for a charity.	The persons are - (a) the charity trustees of the charity, (b) (if a body corporate) the charity itself, and (c) any other person who is or	Power to quash the decision and (if appropriate) remit the matter to the Commission.

	may be affected by the decision.	
Order made by the Commission under section 146(1) requiring the accounts of a charity to be audited.	The persons are - (a) the charity trustees of the charity, (b) (if a body corporate) the charity itself, and (c) any other person who is or may be affected by the order.	Power to - (a) quash the order, (b) substitute for the order any other order which could have been made by the Commission, (c) add to the order anything which could have been contained in an order made by the Commission.
Order made by the Commission under section 147(2) in relation to a charitable company.	The persons are - (a) the directors of the company, (b) the company itself, and (c) any other person who is or may be affected by the order.	Power to - (a) quash the order and (if appropriate) remit the matter to the Commission, (b) substitute for the order any other order which could have been made by the Commission, (c) add to the order anything which could have been contained in an order made by the Commission.
Order made by the Commission under section 147(5) in relation to a charitable company, or a decision of the Commission not to make such an order in relation to a charitable company.	The persons are - (a) the charity trustees of the company, (b) the company itself, (c) in the case of a decision not to make an order, the auditor, and (d) any other person who is or may be affected by the order or the decision.	Power to - (a) quash the order or decision and (if appropriate) remit the matter to the Commission, (b) substitute for the order any other order of a kind the Commission could have made, (c) make any order which the Commission could have made.
Order made by the Commission under section 153(1) requiring the group accounts of a parent charity to be audited.	The persons are - (a) the charity trustees of the parent charity, (b) (if a body corporate) the parent charity itself, and (c) any other person who is or may be affected by the order.	Power to - (a) quash the order, (b) substitute for the order any other order which could have been made by the Commission, (c) add to the order anything which could have been contained in an order made by the Commission.
Order made by the Commission under section 155 in relation to a charity, or a	The persons are - (a) the charity trustees of the charity,	Power to - (a) quash the order or decision and (if appropriate) remit the

<p>decision of the Commission not to make such an order in relation to a charity.</p>	<p>(b) (if a body corporate) the charity itself, (c) in the case of a decision not to make an order, the auditor, independent examiner or examiner, and (d) any other person who is or may be affected by the order or the decision.</p>	<p>matter to the Commission, (b) substitute for the order any other order of a kind the Commission could have made, (c) make any order which the Commission could have made.</p>
<p>Order made by the Commission under section 155 in relation to a member of a group, or a decision of the Commission not to make such an order in relation to a member of a group.</p>	<p>The persons are - (a) the charity trustees of the member of the group, (b) (if a body corporate) the member of the group itself, (c) in the case of a decision not to make an order, the auditor, independent examiner or examiner, and (d) any other person who is or may be affected by the order or the decision.</p>	<p>Power to - (a) quash the order or decision and (if appropriate) remit the matter to the Commission, (b) substitute for the order any other order of a kind the Commission could have made, (c) make any order which the Commission could have made.</p>
<p>Decision of the Commission under section 168(3) to request charity trustees to prepare an annual report for a charity.</p>	<p>The persons are - (a) the charity trustees, and (b) (if a body corporate) the charity itself.</p>	<p>Power to quash the decision and (if appropriate) remit the matter to the Commission.</p>
<p>Decision of the Commission not to dispense with the requirements of section 169(1) in relation to a charity or class of charities.</p>	<p>The persons are the charity trustees of any charity affected by the decision.</p>	<p>Power to quash the decision and (if appropriate) remit the matter to the Commission.</p>
<p>Decision of the Commission under section 181(2) to waive, or not to waive, a person's disqualification.</p>	<p>The persons are - (a) the person who applied for the waiver, and (b) any other person who is or may be affected by the decision.</p>	<p>Power to - (a) quash the decision and (if appropriate) remit the matter to the Commission, (b) substitute for the decision any other decision of a kind which could have been made by the Commission.</p>
<p>Order made by the Commission under section 184(3) in relation to a person who has acted as charity trustee or trustee for a charity.</p>	<p>The persons are - (a) the person subject to the order, and (b) any other person who is or may be affected by the order.</p>	<p>Power to - (a) quash the order and (if appropriate) remit the matter to the Commission, (b) substitute for the order any other order which could have been made by the Commission.</p>

<p>Order made by the Commission under section 186(5) or (6) requiring a trustee or connected person to repay, or not to receive, remuneration.</p>	<p>The persons are - (a) the trustee or connected person, (b) the other charity trustees of the charity concerned, and (c) any other person who is or may be affected by the order.</p>	<p>Power to - (a) quash the order and (if appropriate) remit the matter to the Commission, (b) substitute for the order any other order which could have been made by the Commission.</p>
<p>Decision of the Commission to give, or withhold, consent under section 198(1) or 201(1) in relation to a charitable company.</p>	<p>The persons are - (a) the charity trustees of the company, (b) the company itself, and (c) any other person who is or may be affected by the decision.</p>	<p>Power to quash the decision and (if appropriate) remit the matter to the Commission.</p>
<p>Decision of the Commission to grant an application under section 207 for the constitution of a CIO and its registration as a charity.</p>	<p>The persons are any person (other than the persons who made the application) who is or may be affected by the decision.</p>	<p>Power to quash the decision and (if appropriate) - (a) remit the matter to the Commission, (b) direct the Commission to rectify the register of charities.</p>
<p>Decision of the Commission under section 208 to refuse an application for the constitution of a CIO and its registration as a charity.</p>	<p>The persons are - (a) the persons who made the application, and (b) any other person who is or may be affected by the decision.</p>	<p>Power to - (a) quash the decision and (if appropriate) remit the matter to the Commission, (b) direct the Commission to grant the application.</p>
<p>Decision of the Commission under section 227 to refuse to register an amendment to the constitution of a CIO.</p>	<p>The persons are - (a) the CIO, (b) the charity trustees of the CIO, and (c) any other person who is or may be affected by the decision.</p>	<p>Power to quash the decision and (if appropriate) - (a) remit the matter to the Commission, (b) direct the Commission to register the amendment.</p>
<p>Decision of the Commission under section 231 to refuse an application for the conversion of a charitable company or a registered society into a CIO and the CIO's registration as a charity.</p>	<p>The persons are - (a) the charity which made the application, (b) the charity trustees of the charity, and (c) any other person who is or may be affected by the decision.</p>	<p>Power to - (a) quash the decision and (if appropriate) remit the matter to the Commission, (b) direct the Commission to grant the application.</p>
<p>Decision of the Commission to grant an application under section 235 for the</p>	<p>The persons are any creditor of any of the CIOs being amalgamated.</p>	<p>Power to quash the decision and (if appropriate) remit the matter to the Commission.</p>

amalgamation of two or more CIOs and the incorporation and registration as a charity of a new CIO as their successor.		
Decision of the Commission under section 237 to refuse an application for the amalgamation of two or more CIOs and the incorporation and registration as a charity of a new CIO as their successor.	The persons are - (a) the CIOs which applied for the amalgamation, (b) the charity trustees of the CIOs, and (c) any other person who is or may be affected by the decision.	Power to - (a) quash the decision and (if appropriate) remit the matter to the Commission, (b) direct the Commission to grant the application.
Decision of the Commission to confirm a resolution passed by a CIO under section 240(1).	The persons are any creditor of the CIO.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Decision of the Commission under section 242 to refuse to confirm a resolution passed by a CIO.	The persons are - (a) the CIO, (b) the charity trustees of the CIO, and (c) any other person who is or may be affected by the decision.	Power to - (a) quash the decision and (if appropriate) remit the matter to the Commission, (b) direct the Commission to confirm the resolution.
Decision of the Commission under regulations made by virtue of section 245 to grant an application for the dissolution of a CIO.	The persons are - (a) the CIO, (b) the charity trustees of the CIO, or the persons who were or claim to have been the charity trustees of the CIO immediately before it was dissolved, (c) any creditor of the CIO, and (d) any other person who is or may be affected by the decision.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Decision of the Commission under regulations made by virtue of section 245 not to grant an application for the dissolution of a CIO.	The persons are - (a) the CIO, (b) the charity trustees of the CIO, and (c) any other person who is or may be affected by the decision.	Power to - (a) quash the decision and (if appropriate) remit the matter to the Commission, (b) direct the Commission to grant the application.
Decision of the Commission under regulations made by virtue of section 245 to dissolve a CIO which it has	The persons are - (a) the persons who were or claim to have been the charity trustees of the CIO immediately	Power to quash the decision and (if appropriate) remit the matter to the Commission.

reasonable cause to believe is not in operation.	before it was dissolved, (b)any creditor of the CIO, and (c)any other person who is or may be affected by the decision.	
Decision of the Commission under regulations made by virtue of section 245 to dissolve a CIO it no longer considers to be a charity.	The persons are - (a)the persons who were or claim to have been the charity trustees of the CIO immediately before it was dissolved, (b)any creditor of the CIO, and (c)any other person who is or may be affected by the decision.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Decision of the Commission under regulations made by virtue of section 245 to dissolve a CIO which is being wound up.	The persons are - (a)the persons who were or claim to have been the charity trustees of the CIO immediately before it was dissolved, (b)the liquidator of the CIO (if any), (c)any creditor of the CIO, and (d)any other person who is or may be affected by the decision.	Power to quash the decision and (if appropriate) remit the matter to the Commission.
Order made by the Commission under regulations made by virtue of section 245 specifying the charitable purposes, charity or charities for which the official custodian holds on trust the property of a CIO which has been dissolved.	The persons are - (a)the persons who were or claim to have been the charity trustees of the CIO immediately before it was dissolved, and (b)any other person who is or may be affected by the order.	Power to - (a)quash the order in whole or in part and (if appropriate) remit the matter to the Commission, (b)substitute for all or part of the order any other order which could have been made by the Commission, (c)add to the order anything which could have been included in an order made by the Commission.
Order made by the Commission under regulations made by virtue of section 245 vesting property held by the official custodian in a charity or charities.	The persons are - (a)the persons who were or claim to have been the charity trustees of the CIO immediately before it was dissolved, and	Power to - (a)quash the order in whole or in part and (if appropriate) remit the matter to the Commission, (b)substitute for all or part of

	(b)any other person who is or may be affected by the order.	the order any other order which could have been made by the Commission, (c)add to the order anything which could have been included in an order made by the Commission.
Decision of the Commission under regulations made by virtue of section 245 to restore or not to restore a CIO to the register.	The persons are - (a)the persons who were or claim to have been the charity trustees of the CIO immediately before it was dissolved, and (b)any other person who is or may be affected by the decision.	Power to quash the decision and (if appropriate) - (a)remit the matter to the Commission, (b)direct the Commission to rectify the register.
Decision of the Commission - (a) to grant a certificate of incorporation under section 251(1) to the charity trustees of a charity, or (b) not to grant such a certificate.	The persons are - (a) the charity trustees of the charity, and (b) any other person who is or may be affected by the decision.	Power to quash - (a) the decision, (b) any conditions or directions inserted in the certificate, and (if appropriate) remit the matter to the Commission.
Decision of the Commission to amend a certificate of incorporation of a charity under section 262(5).	The persons are - (a) the charity trustees of the charity, and (b) any other person who is or may be affected by the amended certificate of incorporation.	Power to quash the decision and (if appropriate) remit the matter to the Commission.