

**THE CHARITIES ACT (NORTHERN IRELAND) 2008
THE CHARITY TRIBUNAL RULES (NORTHERN IRELAND) 2010
IN THE MATTER OF AN APPEAL OF A DECISION OF THE CHARITY
COMMISSION FOR NORTHERN IRELAND TO THE CHARITY TRIBUNAL FOR
NORTHERN IRELAND**

Appeal No. 6/19

BETWEEN

TREVOR MCKEE

Appellant

and

THE CHARITY COMMISSION FOR NORTHERN IRELAND

Respondent

DIRECTIONS

1. The Tribunal had on 4 November 2021 issued a direction recording that, pursuant to Section 15(4)(b) of the Charities Act (Northern Ireland) 2008 (“the 2008 Act”), the Tribunal considered it necessary to have the assistance of the Attorney General to have fully argued the following questions:
 - a. Whether the Tribunal has jurisdiction to determine the Appellant’s appeal against a direction of the Respondent under Section 22(3)(a) or (b) of the 2008 Act (“the Section 22(3) Appeal”);
 - b. In the event that the Tribunal does not have such jurisdiction, how ought the Tribunal to dispose of the Section 22(3) Appeal.
2. On 1 December 2021, the Attorney General responded, stating that the Attorney General does not consider that the Tribunal has jurisdiction to make the requested finding.
3. However, the Attorney General also considered that, in the particular circumstances of this case, a pragmatic approach would be for the question the Appellant asks to be answered by way of a reference.
4. The Tribunal convened a directions hearing on 17 January 2022. The Appellant appeared. Ms Maura McCallion appeared on behalf of the Attorney General. The Respondent had indicated that it did not intend to appear or take any part in the matter.
5. At that directions hearing, the Appellant indicated that he would not proceed with the Section 22(3) Appeal, in the context of the Attorney General having made her reference.
6. The Attorney General’s reference is being addressed by the President of the Tribunal.

7. This Tribunal directed Appellant to confirm whether he wished to withdraw his Section 22(3) Appeal appeal, failing which the Tribunal will make a decision on the appeal on the basis of the submissions before it.
8. The Appellant has confirmed that he wishes to withdraw his Section 22(3) Appeal.
9. The Respondent has confirmed it has no objection to such withdrawal.
10. Therefore, pursuant to Rule 24(1) of the Charity Tribunal Rules (Northern Ireland) 2010, the Tribunal therefore dismisses the Appellant's Section 22(3) Appeal.

Adrian Colmer QC

07.04.22