
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 571

The Scottish Charity Appeals Panel Rules 2006

PART II

Appeal

Notice of appeal

3.—(1) An appeal to the Panel in terms of section 76 of the Act shall be made by giving notice in writing in accordance with the following paragraphs.

(2) The notice shall be addressed to the Secretary and shall include—

- (a) the name and address of the appellant;
- (b) the date and, if known, the reference number of the decision against which the appeal is made;
- (c) the name and address of the representative of the appellant (if any) and whether any notice or other correspondence which is required, by these Rules, to be sent to the appellant should be sent to the representative instead of the appellant;
- (d) a brief statement setting out the reasons for the appeal; and
- (e) a statement that the notice is a notice of appeal.

(3) The appellant or the representative of the appellant (if any) must sign the notice of appeal.

Confirmation of appeal by the Secretary

4.—(1) Within 14 days of receipt of the notice of appeal, the Secretary shall—

- (a) send an acknowledgement of receipt of the notice of appeal to the appellant;
- (b) enter the particulars of the appeal referred to in rule 3(2)(a) and (b) in the register; and
- (c) advise the appellant and OSCR, in writing, of the following—
 - (i) the case number of the appeal;
 - (ii) the date by which the appellant may submit written representations to the Panel together with copies of all documentation provided to OSCR for the purpose of OSCR reaching the decision against which the appeal is made; and
 - (iii) the date by which OSCR may make written representations to the Panel and by which it must send to the Panel an authenticated copy of the decision against which the appeal is made.

(2) The date referred to in (1)(c)(ii) is to be no later than 28 days after the date of acknowledgement of receipt of the appeal.

(3) The date referred to in (1)(c)(iii) is to be no later than 42 days after the date of acknowledgement of receipt of the appeal.

Appeal documents

5. The Secretary must as soon as possible after receipt of any document from a party to proceedings, send a copy of that document to the other party.

Withdrawal of appeal

- 6.—(1) The appellant may withdraw the appeal—
- (a) at any time before the hearing of the appeal, by sending written notice of the withdrawal to the Secretary; or
 - (b) at the hearing of the appeal.
- (2) Where an appeal is withdrawn, no further appeal may be made in relation to the same decision.

Withdrawal of response by OSCR

7. OSCR may withdraw its response and opposition to an appeal—
- (a) at any time before the hearing of the appeal, by sending written notice of the withdrawal to the Secretary; or
 - (b) at the hearing of the appeal.