



Department for

**Communities**

An Roinn

**Pobal**

Máinnystrie o

**Communities**

[www.communities-ni.gov.uk](http://www.communities-ni.gov.uk)

Voluntary and Community  
Division  
4<sup>th</sup> Floor, 9 Lanyon Place  
Lanyon Quay  
BELFAST  
BT1 3LP  
Phone: 028 9082 9424  
FOI Reference: DFC/2022-0185

Trevor McKee

By email:

[request-930054-3387abbe@whatdotheyknow.com](mailto:request-930054-3387abbe@whatdotheyknow.com)

Date: 19 January 2023

Dear Mr McKee,

### **Freedom of Information Act 2000**

I refer to your request under the above legislation for information about delegation of the powers of the Charity Commission for Northern Ireland (the Commission). You asked:

*On the 27th June 2019 the CCNI Board Minutes relate the following:*

*"The Board also considered the issue of authority for proceedings and agreed to authorise the Chief Executive to take all necessary steps in conducting current court and Charity Tribunal litigation on its behalf.*

*The Board also authorised the Chief Executive to issue and respond to legal proceedings, submit pleadings and take all necessary steps in conducting court and Charity Tribunal litigation on its behalf. "*

*Q1/ The Charity Commission for NI is a Statutory Corporation bound by inter alia the Charities Act (NI) 2008, and the Interpretation Act (NI) 1954. What power did the Commissioners use to delegate these powers of the body corporate?*

*Q2/ To date, have these powers been used? If yes, in what circumstances.*

*Q3/ How many times and in what circumstances has the Commission used its powers under section 54 of the 2008 Act?*

*Q4/ How many of the senior management team are legally qualified i.e a barrister, a Solicitor or a BA Law?*

*As the Charity Commission pass the department all of its board papers, this is recorded information that is within your reach.*

I wish to advise you that following a search of our paper and electronic records, I have established that the information you requested is not held by this Department.

Despite not holding the specific information you have you requested, you may find the following information, which is linked to your request, useful.

- The Commission acts on its own legal advice.
- The Department holds information that s54 was utilised on one occasion prior to May 2019, however we have no record of the circumstances in which it was used on that occasion and hold no details of how many times it has been used after the McBride Judgment, or the circumstances in which it may have been used.
- Staff of the Commission are direct employees and do not have an employment relationship with the Department.

If you are dissatisfied with this response and wish to request a review of our decision or make a complaint about how your request has been handled, you may ask for an internal review within two calendar months of the date of this letter. You should write to the Information Access Manager, Department for Communities, Level 5, Nine Lanyon Place, BELFAST, BT1 3LP, or send an email to [foi@communities-ni.gov.uk](mailto:foi@communities-ni.gov.uk).

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a review of our original decision.

The Information Commissioner can be contacted at:

Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

If you have any queries about this letter, please contact me. Please remember to quote the reference number above in any future communications.

Yours Sincerely,

**Colleen Bell**  
**Voluntary & Community Division**