

## **Guidelines for making an application for the Commissioners' approval to a Compromise**

The Trustees of the Charity or any person with the consent of the Trustees may submit to the Commissioners a statement of proposal for a compromise. Where it is advantageous to the Charities or where it appears to the Trustees that a claim should in the special circumstances be compromised the Commissioners can sanction a settlement of such claim without the necessity or resorting to Court Proceedings (Section 22 of the Charities Act, 1961).

The application is made by way of a Statutory Declaration by the Trustees of the Charities or the claimant with the consent of the Trustees and should contain the following averments:

1. Full particulars of the provisions in the Will *or other relevant Instrument*.
2. Full particulars of the nature of the claim.
3. The special circumstances which warrant a compromise, or advantage to the Charities in acceding to the claim i.e. work done or services rendered for the deceased during his/her lifetime.
4. A proposal from the trustees for the settlement of the claim.

When replying please furnish a copy of the Will and Grant of Probate *or other relevant Instrument* together with a written statement from the Trustees consenting to the proposed settlement.

Photocopies of documents submitted with applications will not be returned when the application has been processed unless a specific request to return them is received.

It should be understood that the Commissioners will not deal with incomplete applications.