

Guidelines for making an application for the approval of a Compromise

The Trustees of the Charity or any person with the consent of the Trustees may submit to the Authority a statement of proposal for a compromise. Where it is advantageous to the Charity or where it appears to the Trustees that a claim should in the special circumstances be compromised the Authority can sanction a settlement of such claim without the necessity of resorting to Court Proceedings (Section 22 of the Charities Act, 1961 as amended by Section 82 of the Charities Act, 2009).

The application is made by way of a Statutory Declaration by the Trustees of the Charity 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 Charity 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 Authority will not deal with incomplete applications.