

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order makes provision, in relation to matters that fall to be decided by the First-tier Tribunal or the Upper Tribunal, for determining the number of members of the tribunal who are to decide the matter (articles 2 and 3). Provision is also made for determining whether the member or members of the tribunal are to be judges of the tribunal or other members of the tribunal (articles 4 and 6). Where a matter is to be decided by two or more members of a tribunal, the Senior President will select one member to chair the tribunal (article 7). If a decision of such a tribunal is not unanimous it will be decided by a majority and, if necessary, the chair will have a casting vote (article 8).

A Regulatory Impact Assessment was prepared for the Tribunals, Courts and Enforcement Act 2007. This can be found at:

<http://www.justice.gov.uk/publications/tribunalscourtsandenforcementact.htm>