



Tribunals and Inquiries Act 1992

CHAPTER 53

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Tribunals and Inquiries Act 1992

CHAPTER 53

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Tribunals and Inquiries Act 1992

1992 CHAPTER 53

An Act to consolidate the Tribunals and Inquiries Act 1971 and certain other enactments relating to tribunals and inquiries.

[16th July 1992]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

The Council on Tribunals and their functions

1.—(1) There shall continue to be a council entitled the Council on Tribunals (in this Act referred to as “the Council”)— The Council on Tribunals.

- (a) to keep under review the constitution and working of the tribunals specified in Schedule 1 (being the tribunals constituted under or for the purposes of the statutory provisions specified in that Schedule) and, from time to time, to report on their constitution and working;
- (b) to consider and report on such particular matters as may be referred to the Council under this Act with respect to tribunals other than the ordinary courts of law, whether or not specified in Schedule 1, or any such tribunal; and
- (c) to consider and report on such matters as may be referred to the Council under this Act, or as the Council may determine to be of special importance, with respect to administrative procedures involving, or which may involve, the holding by or on behalf of a Minister of a statutory inquiry, or any such procedure.

(2) Nothing in this section authorises or requires the Council to deal with any matter with respect to which the Parliament of Northern Ireland had power to make laws.

Composition of the Council and the Scottish Committee.

2.—(1) Subject to subsection (3), the Council shall consist of not more than fifteen nor less than ten members appointed by the Lord Chancellor and the Lord Advocate, and one of the members shall be so appointed to be chairman of the Council.

(2) There shall be a Scottish Committee of the Council (in this Act referred to as “the Scottish Committee”) which, subject to subsection (3), shall consist of—

- (a) either two or three members of the Council designated by the Lord Advocate, and
- (b) either three or four persons, not being members of the Council, appointed by the Lord Advocate;

and the Lord Advocate shall appoint one of the members of the Scottish Committee (being a member of the Council) to be chairman of the Scottish Committee.

(3) In addition to the persons appointed or designated under subsection (1) or (2), the Parliamentary Commissioner for Administration shall, by virtue of his office, be a member of the Council and of the Scottish Committee.

(4) In appointing members of the Council regard shall be had to the need for representation of the interests of persons in Wales.

Tenure of office, remuneration and expenses.

3.—(1) Persons appointed under section 2 shall hold and vacate office under the terms of the instruments under which they are appointed but may resign office by notice in writing to the Minister or Ministers by whom they were appointed; and any such person who ceases to hold office shall be eligible for re-appointment.

(2) There shall be paid—

- (a) to the chairman of the Council and the chairman of the Scottish Committee such salaries as may be determined by the Treasury, and
- (b) to the other members of the Council and of the Scottish Committee such fees (if any) as may be so determined.

(3) The salaries and fees payable under subsection (2), together with such expenses of the Council and of the Scottish Committee (including subsistence allowances for and travelling expenses of their members) as may be approved by the Treasury shall be defrayed out of money provided by Parliament.

Reports of, and references to, Council and Scottish Committee.

4.—(1) Subject to the provisions of this section, any report by, or reference to, the Council shall be made to or, as the case may be, by, the Lord Chancellor and the Lord Advocate.

(2) A reference to the Council of a matter relating only to England and Wales may be made by the Lord Chancellor and a reference to the Council of a matter relating only to Scotland may be made by the Lord Advocate; and the report of the Council on a reference so made shall be made to the Minister making the reference.

(3) The Council shall not make a report on any such tribunal as is specified in Part II of Schedule 1 or on any matter referred to the Council by the Lord Advocate until the Council—

- (a) have referred the matter of the report for consideration, and report to the Council, by the Scottish Committee, and
- (b) have considered the report of that Committee.

(4) Where, without any reference having been made to them, the Council report on any such matter as is mentioned in section 1(1)(c), then—

- (a) if the matter relates only to England and Wales, subsection (2) shall apply as if the matter had been referred to the Council by the Lord Chancellor;
- (b) if the matter relates only to Scotland, subsections (2) and (3) shall apply as if the matter had been referred to them by the Lord Advocate.

(5) The Scottish Committee may of its own motion make a report to the Council with respect to the constitution or working of any such tribunal as is specified in Part II of Schedule 1 or with respect to any matter falling within section 1(1)(c) and relating only to Scotland.

(6) If the Council—

- (a) in reporting on any matter which they have referred to the Scottish Committee or on which that Committee has reported to the Council of its own motion, do not adopt the report of that Committee without modification, or
- (b) do not make a report on matters on which the Scottish Committee has reported to the Council of its own motion,

the Scottish Committee may submit its report to the Lord Advocate.

(7) The Council shall make an annual report to the Lord Chancellor and the Lord Advocate on their proceedings and those of the Scottish Committee, and those Ministers shall lay the report before Parliament with such comments (if any) as they think fit.

Composition and procedure of tribunals and inquiries

5.—(1) Subject to section 6 but without prejudice to the generality of section 1(1)(a), the Council may make to the appropriate Minister general recommendations as to the making of appointments to membership of any tribunals mentioned in Schedule 1 or of panels constituted for the purposes of any such tribunals; and (without prejudice to any statutory provisions having effect with respect to such appointments) the appropriate Minister shall have regard to recommendations under this section.

Recommendations of Council as to appointment of members of tribunals.

(2) In this section “the appropriate Minister”, in relation to appointments of any description, means the Minister making the appointments or, if they are not made by a Minister, the Minister in charge of the government department concerned with the tribunals in question.

(3) The following provisions shall have effect as respects any tribunal specified in Part II of Schedule 1—

- (a) the Council shall not make any recommendations under this section until—
 - (i) they have referred the matter of the recommendations for consideration, and report to the Council, by the Scottish Committee, and

- (ii) they have considered the report of that Committee,
- (b) without prejudice to the generality of section 4(5), the Scottish Committee may of its own motion propose any such general recommendations as expedient to be made by the Council to the appropriate Minister, and
- (c) if the Council—
 - (i) in making recommendations under this section on any matter which they have referred to the Scottish Committee or on which that Committee has made proposals, do not adopt the report or proposals of that Committee without modification, or
 - (ii) do not make recommendations on matters on which the Scottish Committee has made proposals to the Council, the Scottish Committee may submit its report or proposals to the Lord Advocate.

Appointment of
chairmen of
certain tribunals.

6.—(1) The chairman, or any person appointed to act as chairman, of any of the tribunals to which this subsection applies shall (without prejudice to any statutory provisions as to qualifications) be selected by the appropriate authority from a panel of persons appointed by the Lord Chancellor.

(2) Members of panels constituted under this section shall hold and vacate office under the terms of the instruments under which they are appointed, but may resign office by notice in writing to the Lord Chancellor; and any such member who ceases to hold office shall be eligible for re-appointment.

(3) Subsection (1) applies to any tribunal specified in paragraph 7, 38(a), 41(a), (b), (c) or (e) or 43 of Schedule 1.

(4) In relation to the tribunals specified in paragraph 41(a), (b) and (c) of Schedule 1, this section has effect subject to sections 41 (social security appeal tribunals), 43 (disability appeal tribunals) and 50 (medical appeal tribunals) of the Social Security Administration Act 1992.

1992 c. 5.

(5) The person or persons constituting any tribunal specified in paragraph 31 of Schedule 1 shall be appointed by the Lord Chancellor, and where such a tribunal consists of more than one person the Lord Chancellor shall designate which of them is to be the chairman.

(6) In this section, “the appropriate authority” means the Minister who apart from this Act would be empowered to appoint or select the chairman, person to act as chairman, members or member of the tribunal in question.

(7) A panel may be constituted under this section for the purposes either of a single tribunal or of two or more tribunals, whether or not of the same description.

(8) In relation to any of the tribunals referred to in this section which sits in Scotland, this section shall have effect with the substitution for any reference to the Lord Chancellor of a reference to the Lord President of the Court of Session.

(9) In relation to any of the tribunals referred to in this section which sits in Northern Ireland, this section shall have effect with the substitution for any reference to the Lord Chancellor of a reference to the Lord Chief Justice of Northern Ireland.

7.—(1) Subject to subsection (2), the power of a Minister, other than the Lord Chancellor, to terminate a person's membership of any tribunal specified in Schedule 1, or of a panel constituted for the purposes of any such tribunal, shall be exercisable only with the consent of—

Concurrence required for removal of members of certain tribunals.

- (a) the Lord Chancellor, the Lord President of the Court of Session and the Lord Chief Justice of Northern Ireland, if the tribunal sits in all parts of the United Kingdom;
- (b) the Lord Chancellor and the Lord President of the Court of Session, if the tribunal sits in all parts of Great Britain;
- (c) the Lord Chancellor and the Lord Chief Justice of Northern Ireland, if the tribunal sits both in England and Wales and in Northern Ireland;
- (d) the Lord Chancellor, if the tribunal does not sit outside England and Wales;
- (e) the Lord President of the Court of Session, if the tribunal sits only in Scotland;
- (f) the Lord Chief Justice of Northern Ireland, if the tribunal sits only in Northern Ireland.

(2) This section does not apply to any tribunal specified in paragraph 3, 4, 12, 14, 17, 18, 26, 33(a), 34, 35(d) or (e), 36(a), 39(b), 40, 43, 48 or 56(a) of Schedule 1.

(3) For the purposes of this section in its application to any tribunal specified in paragraph 22(a) of Schedule 1, an adjudicator who has sat only in England and Wales, who has sat only in Scotland or who has sat only in Northern Ireland shall be deemed to constitute a tribunal which does not sit outside England and Wales, which sits only in Scotland or which sits only in Northern Ireland, as the case may be.

8.—(1) The power of a Minister, the Lord President of the Court of Session, the Commissioners of Inland Revenue or the Foreign Compensation Commission to make, approve, confirm or concur in procedural rules for any tribunal specified in Schedule 1 shall be exercisable only after consultation with the Council.

Procedural rules for tribunals.

(2) The power of the Treasury to make—

- (a) regulations under section 48(3) of the Building Societies Act 1986 (regulations with respect to appeals to the tribunal established under section 47 of that Act), or
- (b) regulations under section 30 of the Banking Act 1987 (regulations with respect to appeals under Part I of that Act),

1986 c. 53.

1987 c. 22.

shall be exercisable only after consultation with the Council.

(3) The Council shall consult the Scottish Committee in relation to the exercise of their functions under this section—

- (a) with respect to any tribunal specified in Part II of Schedule 1, or

- (b) with respect to any regulations under section 30 of the Banking Act 1987 which (by virtue of subsection (4) of that section) are made by the Lord Advocate.

(4) In this section “procedural rules” includes any statutory provision relating to the procedure of the tribunal in question.

Procedure in connection with statutory inquiries.

9.—(1) The Lord Chancellor, after consultation with the Council, may make rules regulating the procedure to be followed in connection with statutory inquiries held by or on behalf of Ministers; and different provision may be made by any such rules in relation to different classes of such inquiries.

(2) Any rules made by the Lord Chancellor under this section shall have effect, in relation to any statutory inquiry, subject to the provisions of the enactment under which the inquiry is held, and of any rules or regulations made under that enactment.

(3) Subject to subsection (2), rules made under this section may regulate procedure in connection with matters preparatory to such statutory inquiries as are mentioned in subsection (1), and in connection with matters subsequent to such inquiries, as well as in connection with the conduct of proceedings at such inquiries.

(4) In the application of this section to inquiries held in Scotland—

- (a) for any reference to the Lord Chancellor there shall be substituted a reference to the Lord Advocate, and
- (b) the Council, in exercising their functions under this section in relation to rules to be made by the Lord Advocate, shall consult with the Scottish Committee.

Judicial control of tribunals etc.

Reasons to be given for decisions of tribunals and Ministers.

10.—(1) Subject to the provisions of this section and of section 14, where—

- (a) any tribunal specified in Schedule 1 gives any decision, or
- (b) any Minister notifies any decision taken by him—
- (i) after a statutory inquiry has been held by him or on his behalf, or
- (ii) in a case in which a person concerned could (whether by objecting or otherwise) have required a statutory inquiry to be so held,

it shall be the duty of the tribunal or Minister to furnish a statement, either written or oral, of the reasons for the decision if requested, on or before the giving or notification of the decision, to state the reasons.

(2) The statement referred to in subsection (1) may be refused, or the specification of the reasons restricted, on grounds of national security.

(3) A tribunal or Minister may refuse to furnish a statement under subsection (1) to a person not primarily concerned with the decision if of the opinion that to furnish it would be contrary to the interests of any person primarily concerned.

(4) Subsection (1) does not apply to any decision taken by a Minister after the holding by him or on his behalf of an inquiry or hearing which is a statutory inquiry by virtue only of an order made under section 16(2) unless the order contains a direction that this section is to apply in relation to any inquiry or hearing to which the order applies.

(5) Subsection (1) does not apply—

- (a) to decisions in respect of which any statutory provision has effect, apart from this section, as to the giving of reasons,
- (b) to decisions of a Minister in connection with the preparation, making, approval, confirmation, or concurrence in regulations, rules or byelaws, or orders or schemes of a legislative and not executive character, or
- (c) to decisions of the Occupational Pensions Board referred to in paragraph 35(d) of Schedule 1.

(6) Any statement of the reasons for a decision referred to in paragraph (a) or (b) of subsection (1), whether given in pursuance of that subsection or of any other statutory provision, shall be taken to form part of the decision and accordingly to be incorporated in the record.

(7) If, after consultation with the Council, it appears to the Lord Chancellor and the Lord Advocate that it is expedient that—

- (a) decisions of any particular tribunal or any description of such decisions, or
- (b) any description of decisions of a Minister,

should be excluded from the operation of subsection (1) on the ground that the subject-matter of such decisions, or the circumstances in which they are made, make the giving of reasons unnecessary or impracticable, the Lord Chancellor and the Lord Advocate may by order direct that subsection (1) shall not apply to such decisions.

(8) Where an order relating to any decisions has been made under subsection (7), the Lord Chancellor and the Lord Advocate may, by a subsequent order made after consultation with the Council, revoke or vary the earlier order so that subsection (1) applies to any of those decisions.

11.—(1) Subject to subsection (2), if any party to proceedings before any tribunal specified in paragraph 8, 15(a) or (d), 16, 18, 24, 26, 31, 33(b), 37, 44 or 45 of Schedule 1 is dissatisfied in point of law with a decision of the tribunal he may, according as rules of court may provide, either appeal from the tribunal to the High Court or require the tribunal to state and sign a case for the opinion of the High Court.

Appeals from certain tribunals.

(2) Subsection (1) shall not apply in relation to proceedings before industrial tribunals which arise under or by virtue of any of the enactments mentioned in section 136(1) of the Employment Protection (Consolidation) Act 1978.

1978 c. 44.

(3) Rules of court made with respect to all or any of the tribunals referred to in subsection (1) may provide for authorising or requiring a tribunal, in the course of proceedings before it, to state, in the form of a special case for the decision of the High Court, any question of law arising in the proceedings; and a decision of the High Court on a case stated by virtue of this subsection shall be deemed to be a judgment of the Court

1981 c. 54.

within the meaning of section 16 of the Supreme Court Act 1981 (jurisdiction of Court of Appeal to hear and determine appeals from judgments of the High Court).

(4) In relation to proceedings in the High Court or the Court of Appeal brought by virtue of this section, the power to make rules of court shall include power to make rules prescribing the powers of the High Court or the Court of Appeal with respect to—

- (a) the giving of any decision which might have been given by the tribunal;
- (b) the remitting of the matter with the opinion or direction of the court for re-hearing and determination by the tribunal;
- (c) the giving of directions to the tribunal;

and different provisions may be made for different tribunals.

(5) An appeal to the Court of Appeal shall not be brought by virtue of this section except with the leave of the High Court or the Court of Appeal.

1974 c. 39.

(6) Subsection (1) shall apply to a decision of the Secretary of State on an appeal under section 41 of the Consumer Credit Act 1974 from a determination of the Director General of Fair Trading as it applies to a decision of any of the tribunals mentioned in that subsection, but with the substitution for the reference to a party to proceedings of a reference to any person who had a right to appeal to the Secretary of State (whether or not he has exercised that right); and accordingly references in subsections (1) and (4) to a tribunal shall be construed, in relation to such an appeal, as references to the Secretary of State.

(7) The following provisions shall have effect for the application of this section to Scotland—

- (a) in relation to any proceedings in Scotland of any of the tribunals referred to in the preceding provisions of this section, or on an appeal under section 41 of the Consumer Credit Act 1974 by a company registered in Scotland or by any other person whose principal or prospective principal place of business in the United Kingdom is in Scotland, this section shall have effect with the following modifications—
 - (i) for references to the High Court or the Court of Appeal there shall be substituted references to the Court of Session,
 - (ii) in subsection (3) for “in the form of a special case for the decision of the High Court” there shall be substituted “a case for the opinion of the Court of Session on” and the words from “and a decision” to the end of the subsection shall be omitted, and
 - (iii) subsection (5) shall be omitted,

- (b) this section shall apply, with the modifications specified in paragraph (a)—

- (i) to proceedings before any such tribunal as is specified in paragraph 51, 56(b), 59 or 63 of Schedule 1, and

- (ii) subject to paragraph (c) below, to proceedings before the Lands Tribunal for Scotland,

as it applies to proceedings before the tribunals referred to in subsection (1);

- (c) subsection (1) shall not apply in relation to proceedings before the Lands Tribunal for Scotland which arise under section 1(3A) of the Lands Tribunal Act 1949 (jurisdiction of the tribunal in valuation matters); 1949 c. 42.
- (d) an appeal shall lie, with the leave of the Court of Session or the House of Lords, from any decision of the Court of Session under this section, and such leave may be given on such terms as to costs or otherwise as the Court of Session or the House of Lords may determine.

(8) In relation to any proceedings in Northern Ireland of any of the tribunals referred to in subsection (1) and in relation to a decision of the Secretary of State on an appeal under section 41 of the Consumer Credit Act 1974 by a company registered in Northern Ireland or by any other person whose principal or prospective principal place of business in the United Kingdom is in Northern Ireland, this section shall have effect with the following modifications— 1974 c. 39.

- (a) in subsection (3), for the words from the beginning to “provide” there shall be substituted “Rules may be made under section 55 of the Judicature (Northern Ireland) Act 1978 providing”, and for “section 16 of the Supreme Court Act 1981” there shall be substituted “section 35 of the Judicature (Northern Ireland) Act 1978”; 1978 c. 23.
- (b) in subsection (4), for “the power to make rules of court shall include power to make rules” there shall be substituted “rules may be made under section 55 of the Judicature (Northern Ireland) Act 1978”;
- (c) at the beginning of subsection (5), there shall be inserted “Rules made under section 55 of the Judicature (Northern Ireland) Act 1978, relating to such proceedings as are mentioned in subsection (4), shall provide that the appeal shall be heard, or as the case may be, the decision of the High Court shall be given, by a single judge, but”.

(9) Her Majesty may by Order in Council direct that all or any of the provisions of this section, so far as it relates to proceedings in the Isle of Man or any of the Channel Islands of the tribunal specified in paragraph 45 of Schedule 1, shall extend to the Isle of Man or to any of the Channel Islands subject to such modifications as may be specified in the Order.

(10) In this section “decision” includes any direction or order, and references to the giving of a decision shall be construed accordingly.

12.—(1) As respects England and Wales—

- (a) any provision in an Act passed before 1st August 1958 that any order or determination shall not be called into question in any court, or
- (b) any provision in such an Act which by similar words excludes any of the powers of the High Court,

Supervisory
functions of
superior courts
not excluded by
Acts passed before
1st August 1958.

shall not have effect so as to prevent the removal of the proceedings into the High Court by order of certiorari or to prejudice the powers of the High Court to make orders of mandamus.

(2) As respects Scotland—

- (a) any provision in an Act passed before 1st August 1958 that any order or determination shall not be called into question in any court, or
- (b) any provision in such an Act which by similar words excludes any jurisdiction which the Court of Session would otherwise have to entertain an application for reduction or suspension of any order or determination, or otherwise to consider the validity of any order or determination,

shall not have effect so as to prevent the exercise of any such jurisdiction.

(3) Nothing in this section shall apply—

- (a) to any order or determination of a court of law, or
- (b) where an Act makes special provision for application to the High Court or the Court of Session within a time limited by the Act.

Supplementary provisions

Power to apply Act to additional tribunals and to repeal or amend certain provisions.

13.—(1) The Lord Chancellor and the Lord Advocate may by order amend Part I or Part II of Schedule 1 by adding to that Part any such tribunals, other than any of the ordinary courts of law, as may be provided by the order.

(2) The Lord Chancellor and the Lord Advocate may by order make provision, as respects any tribunal for the time being specified in Schedule 1, not being a tribunal mentioned in section 6, for amending that section so as to apply any of the provisions of that section to the tribunal or for providing for the appointment by the Lord Chancellor, the Lord President of the Court of Session or the Lord Chief Justice of Northern Ireland of the chairman of the tribunal and of any person to be appointed to act as chairman.

(3) The Lord Chancellor and the Lord Advocate may by order amend section 11 so as to apply that section to any tribunal for the time being specified in Schedule 1.

(4) Any order under subsection (1), (2) or (3) may make any such adaptations of the provisions of this Act as may be necessary or expedient in consequence of the order.

(5) The Lord Chancellor and the Lord Advocate may by order—

- (a) repeal or amend section 7(3) of this Act or any of paragraphs 5, 6, 9, 13, 16, 20, 22, 23, 24, 29, 30, 32, 35(a) and (d), 37, 39(c), 43, 44, 47, 49, 51, 54, 55, 56(d), 57(a), 58, 59 and 63 of Schedule 1;
- (b) repeal the reference in section 6 to paragraph 43 of Schedule 1;
- (c) repeal the reference in section 8(1) to the Foreign Compensation Commission and the reference in section 14(1) to paragraph 20 of Schedule 1;
- (d) repeal the references in section 11 to any of paragraphs 16, 24, 37, 44, 51, 59 and 63 of Schedule 1; and
- (e) repeal the references in paragraphs 21 and 53 of Schedule 1 to sections 16, 17B and 25 of the Forestry Act 1967.

1967 c. 10.

(6) Nothing in this section authorises the making of an order with respect to a tribunal having jurisdiction only over matters with respect to which the Parliament of Northern Ireland had power to make laws.

14.—(1) References in this Act to the working or a decision of, or procedural rules for,— Restricted application of Act in relation to certain tribunals.

- (a) any tribunals specified in paragraph 14(a), 20, 33, 34, 39(a) or (b), 40, 48, 56 or 60 of Schedule 1,
- (b) the Director General of Fair Trading referred to in paragraph 17 of Schedule 1, or
- (c) the Controller of Plant Variety Rights referred to in paragraph 36(a) of Schedule 1,

do not include references to their working, decisions or procedure in the exercise of executive functions.

(2) In this Act, references to the working of the Occupational Pensions Board referred to in paragraph 35(d) of Schedule 1 are references to their working so far as relating to matters dealt with by the Board by means of a formal hearing or on review; and references to procedural rules for the Board are references to regulations under section 66(7) of the Social Security Act 1973 so far as relating to procedure on any formal hearing by the Board. 1973 c. 38.

(3) For the purposes of this Act, the functions of the Civil Aviation Authority referred to in paragraph 3 of Schedule 1 are to be taken to be confined to those prescribed for the purposes of section 7(2) of the Civil Aviation Act 1982. 1982 c. 16.

15. Any power of the Lord Chancellor and the Lord Advocate or either of them to make rules or orders under this Act shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament. Rules and orders.

16.—(1) In this Act, except where the context otherwise requires— Interpretation.

“decision”, “procedural rules” and “working”, in relation to a tribunal, shall be construed subject to section 14,

“Council” means the Council on Tribunals,

“Minister” includes any Board presided over by a Minister,

“Scottish Committee” means the Scottish Committee of the Council on Tribunals,

“statutory inquiry” means—

(a) an inquiry or hearing held or to be held in pursuance of a duty imposed by any statutory provision, or

(b) an inquiry or hearing, or an inquiry or hearing of a class, designated for the purposes of this section by an order under subsection (2), and

“statutory provision” means a provision contained in, or having effect under, any enactment.

(2) The Lord Chancellor and the Lord Advocate may by order designate for the purposes of this section any inquiry or hearing held or to be held in pursuance of a power conferred by any statutory provision specified or described in the order, or any class of such inquiries or hearings.

(3) References in this Act to members of tribunals include references to the person constituting a tribunal consisting of one person.

Transitory provisions. Consequential amendments, repeals and saving.

1971 c. 62.
1949 c. 42

Short title, commencement and extent.

17. The transitory provisions in Schedule 2 to this Act shall have effect.

18.—(1) The enactments specified in Schedule 3 shall have effect subject to the amendments there specified, being amendments consequential on this Act.

(2) The enactments specified in Part I of Schedule 4 are hereby repealed to the extent specified in the third column of that Part; and the orders specified in Part II of that Schedule are hereby revoked.

(3) Notwithstanding the repeal by this Act of Schedule 3 to the Tribunals and Inquiries Act 1971, section 3(12)(a) of the Lands Tribunal Act 1949 shall continue to have effect with the substitution for paragraph (a) of the following paragraph—

“(a) Subsection (4) of this section shall not apply;”.

19.—(1) This Act may be cited as the Tribunals and Inquiries Act 1992.

(2) This Act shall come into force on 1st October 1992.

(3) This Act extends to Northern Ireland.

SCHEDULES

SCHEDULE 1

Section 1.

TRIBUNALS UNDER GENERAL SUPERVISION OF COUNCIL

PART I

TRIBUNALS UNDER DIRECT SUPERVISION OF COUNCIL

<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>
Agriculture	1. (a) The Agricultural Land Tribunals established under section 73 of the Agriculture Act 1947 (c. 48); (b) arbitrators appointed (otherwise than by agreement) under Schedule 11 to the Agricultural Holdings Act 1986 (c. 5).
Aircraft and shipbuilding industries	2. The Aircraft and Shipbuilding Industries Arbitration Tribunal established under section 42 of the Aircraft and Shipbuilding Industries Act 1977 (c. 3).
Aviation	3. The Civil Aviation Authority established under section 2 of the Civil Aviation Act 1982 (c. 16).
Banking	4. An appeal tribunal constituted under section 28 of the Banking Act 1987 (c. 22).
Betting levy	5. An appeal tribunal for England and Wales established under section 29 of the Betting, Gaming and Lotteries Act 1963 (c. 2).
Building societies	6. The tribunal constituted in accordance with section 47 of the Building Societies Act 1986 (c. 53).
Child support maintenance	7. (a) The child support appeal tribunals established under section 21 of the Child Support Act 1991 (c. 48); (b) a Child Support Commissioner appointed under section 22 of that Act and any tribunal presided over by such a Commissioner.
Children's homes, voluntary homes, nursing homes, mental nursing homes and residential care homes.	8. Registered Homes Tribunals constituted under Part III of the Registered Homes Act 1984 (c. 23).
Commons	9. The Commons Commissioners and assessors appointed under section 17(2) and (3) of the Commons Registration Act 1965 (c. 64).

SCH. 1	<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>
	Conveyancing	10. A Conveyancing Appeals Tribunal constituted under section 39 of the Courts and Legal Services Act 1990 (c. 41).
	Copyright	11. The Copyright Tribunal constituted under section 145 of the Copyright, Designs and Patents Act 1988 (c. 48).
	Criminal injuries compensation	12. The Criminal Injuries Compensation Board constituted under Part VII of the Criminal Justice Act 1988 (c. 33).
	Dairy produce quotas	13. The Dairy Produce Quota Tribunal for England and Wales constituted under regulation 35(1) of the Dairy Produce Quotas Regulations 1991 (S.I. 1991/2232).
	Data protection	14. (a) The Data Protection Registrar appointed under section 3 of the Data Protection Act 1984 (c. 35); (b) the Data Protection Tribunal constituted under that section.
	Education	15. (a) Independent Schools Tribunals constituted under section 72 of, and Schedule 6 to, the Education Act 1944 (c. 31); (b) appeal committees constituted in accordance with Part I of Schedule 2 to the Education Act 1980 (c. 20); (c) appeal committees constituted for the purposes of section 58(5)(d) of the Education Reform Act 1988 (c. 40); (d) a tribunal constituted in accordance with Schedule 3 to the Education (Schools) Act 1992 (c. 38).
	Employment	16. The industrial tribunals for England and Wales established under section 128 of the Employment Protection (Consolidation) Act 1978 (c. 44).
	Fair trading	17. The Director General of Fair Trading in respect of his functions under the Consumer Credit Act 1974 (c. 39) and the Estate Agents Act 1979 (c. 38), and any member of the Director's staff authorised to exercise those functions under paragraph 7 of Schedule 1 to the Fair Trading Act 1973 (c. 41).

<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>	SCH. 1
Financial services	18. The Financial Services Tribunal established by section 96 of the Financial Services Act 1986 (c. 60).	
Food	19. Tribunals constituted in accordance with regulations under Part II of the Food Safety Act 1990 (c. 16).	
Foreign compensation	20. The Foreign Compensation Commission constituted under section 1 of the Foreign Compensation Act 1950 (c. 12).	
Forestry	21. Committees appointed for the purposes of section 16, 17B, 20, 21 or 25 of the Forestry Act 1967 (c. 10), being committees the members of which are appointed by the Minister having functions under those sections as respects England or Wales.	
Immigration appeals	22. (a) The adjudicators established under section 12 of the Immigration Act 1971 (c. 77); (b) the Immigration Appeal Tribunal established under that section.	
Indemnification of justices and clerks	23. Any person appointed under section 53(3) of the Justices of the Peace Act 1979 (c. 55).	
Industrial training levy exemption	24. Referees established by the Industrial Training (Levy Exemption References) Regulations 1974 (S.I. 1974/1335).	
Industry	25. An arbitration tribunal established under Schedule 3 to the Industry Act 1975 (c. 68).	
Insolvency practitioners	26. The Insolvency Practitioners Tribunal referred to in section 396 of the Insolvency Act 1986 (c. 45).	
Land	27. The Lands Tribunal constituted under section 1(1)(b) of the Lands Tribunal Act 1949 (c. 42).	
Local taxation	28. Valuation tribunals established by regulations under Schedule 11 to the Local Government Finance Act 1988 (c. 41).	
London Building Acts	29. The tribunals of appeal constituted in accordance with section 109 of the London Building Acts (Amendment) Act 1939 (c. xcvi).	

SCH. 1	<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>
	Mental health	30. The Mental Health Review Tribunals constituted or having effect as if constituted under section 65 of the Mental Health Act 1983 (c. 20).
	Mines and quarries	31. Tribunals for the purposes of section 150 of the Mines and Quarries Act 1954 (c. 70).
	Misuse of drugs	32. The Misuse of Drugs Tribunal in England and Wales constituted under Part I of Schedule 3 to the Misuse of Drugs Act 1971 (c. 38).
	National Health Service	33. (a) Family Health Services Authorities established in pursuance of section 10 of the National Health Service Act 1977 (c. 49); (b) the tribunal constituted under section 46 of that Act; (c) service committees of Family Health Services Authorities, being committees constituted in accordance with regulations made under that Act.
	Patents, designs, trade marks and service marks	34. The comptroller-general of patents, designs, and trade marks, and any officer authorised to exercise the functions of the comptroller under section 62(3) of the Patents and Designs Act 1907 (c. 29).
	Pensions	35. (a) Pensions Appeal Tribunals for England and Wales established under section 8 of the War Pensions (Administrative Provisions) Act 1919 (c. 53); (b) Pensions Appeal Tribunals constituted under the Pensions Appeal Tribunals Act 1943 (c. 39), being tribunals appointed for England and Wales; (c) appeal tribunals constituted in accordance with a scheme in force under section 26 of the Fire Services Act 1947 (c. 41); (d) the Occupational Pensions Board established by section 66 of the Social Security Act 1973 (c. 38); (e) the Pensions Ombudsman established under Part IVA of the Social Security Pensions Act 1975 (c. 60) in respect of his functions under or by virtue of section 59C(2) of that Act;

<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>	SCH. 1
—	(f) tribunals appointed under regulations under section 1 of the Police Pensions Act 1976 (c. 35) to hear such appeals as by virtue of the regulations lie to tribunals so appointed.	
Plant varieties	36. (a) The Controller of Plant Variety Rights and any officer authorised to exercise the functions of the Controller under section 11(5) of the Plant Varieties and Seeds Act 1964 (c. 14); (b) the Plant Varieties and Seeds Tribunal established by section 10 of that Act.	
Rents	37. Rent assessment committees constituted in accordance with Schedule 10 to the Rent Act 1977 (c. 42).	
Reserve forces	38. (a) The Reinstatement Committees appointed under paragraph 1 of Schedule 2 to the Reserve Forces (Safeguard of Employment) Act 1985 (c. 17); (b) the umpire and any deputy umpire appointed under paragraph 5 of Schedule 2 to that Act.	
Revenue	39. (a) The Commissioners for the general purposes of the income tax acting under section 2 of the Taxes Management Act 1970 (c. 9) for any division in England and Wales; (b) the Commissioners for the special purposes of the Income Tax Acts appointed under section 4 of that Act; (c) the tribunal constituted for the purposes of Chapter I of Part XVII of the Income and Corporation Taxes Act 1988 (c. 1).	
Road traffic	40. (a) The traffic commissioner for any area constituted for the purposes of the Public Passenger Vehicles Act 1981 (c. 14); (b) a parking adjudicator appointed under section 73(3)(a) of the Road Traffic Act 1991 (c. 40).	
Social security	41. (a) Social security appeal tribunals constituted under section 41 of the Social Security Administration Act 1992 (c. 5); (b) disability appeal tribunals constituted under section 43 of that Act;	

SCH. 1	<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>
		(c) medical appeal tribunals constituted under section 50 of that Act;
		(d) a Commissioner appointed under section 52 of that Act and any tribunal presided over by a Commissioner so appointed;
		(e) a tribunal constituted under regulations made under section 58 of that Act.
	Transport	42. The Transport Tribunal constituted as provided in Schedule 4 to the Transport Act 1985 (c. 67).
	Vaccine damage	43. The tribunals constituted under section 4 of the Vaccine Damage Payments Act 1979 (c. 17).
	Value added tax	44. Value added tax tribunals for England and Wales and for Northern Ireland, constituted under section 40 of, and Schedule 8 to, the Value Added Tax Act 1983 (c. 55).
	Wireless telegraphy	45. The tribunal established under section 9 of the Wireless Telegraphy Act 1949 (c. 54).

PART II

TRIBUNALS UNDER SUPERVISION OF SCOTTISH COMMITTEE

<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>
Agriculture	46. Arbiters appointed (otherwise than by agreement) under section 64 of, or Schedule 7 to, the Agricultural Holdings (Scotland) Act 1991 (c. 55).
Betting levy	47. An appeal tribunal for Scotland established under section 29 of the Betting, Gaming and Lotteries Act 1963 (c. 2).
Crofters	48. The Crofters Commission constituted under section 1 of the Crofters (Scotland) Act 1955 (c. 21).
Dairy produce quotas	49. The Dairy Produce Quota Tribunal for Scotland, constituted under regulation 35(1) of the Dairy Produce Quotas Regulations 1991 (S.I. 1991/2232).
Education	50. (a) Independent Schools Tribunals constituted under section 100 of, and Schedule 2 to, the Education (Scotland) Act 1980 (c. 44);

<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>	SCH. 1
Employment	(b) appeal committees set up under section 28D of that Act; (c) appeal committees constituted by virtue of section 7 of, and paragraph 2(b) of Part II of Schedule 1 to, the Self-Governing Schools etc. (Scotland) Act 1989 (c. 39).	
Food	51. The industrial tribunals for Scotland established under section 128 of the Employment Protection (Consolidation) Act 1978 (c. 44).	
Forestry	52. Tribunals constituted in accordance with regulations under Part II of the Food Safety Act 1990 (c. 16), being tribunals appointed for Scotland.	
Land	53. Committees appointed for the purposes of section 16, 17B, 20, 21 or 25 of the Forestry Act 1967 (c. 10), being committees the members of which are appointed by the Minister having functions under those sections as respects Scotland.	
Misuse of drugs	54. The Lands Tribunal for Scotland constituted under section 1(1)(a) of the Lands Tribunal Act 1949 (c. 42).	
National Health Service	55. The Misuse of Drugs Tribunal for Scotland constituted under Part I of Schedule 3 to the Misuse of Drugs Act 1971 (c. 38).	
	56. (a) Health Boards and joint committees of those Boards constituted under section 2 of the National Health Service (Scotland) Act 1978 (c. 29); (b) the tribunal constituted under section 29 of that Act; (c) service committees of a Health Board or a joint committee of Health Boards, being committees constituted in accordance with regulations made under that Act; (d) the National Appeal Panel convened in accordance with Part IV of Schedule 3A to the National Health Service (General Medical and Pharmaceutical Services)(Scotland) Regulations 1974 (S.I. 1974/506).	

SCH. 1	<i>Matters with which tribunal concerned</i>	<i>Tribunal and statutory authority</i>
	Pensions	<p>57. (a) Pensions Appeal Tribunals for Scotland established under section 8 of the War Pensions (Administrative Provisions) Act 1919 (c. 53);</p> <p>(b) Pensions Appeal Tribunals constituted under the Pensions Appeal Tribunals Act 1943 (c. 39), being tribunals appointed for Scotland;</p> <p>(c) tribunals appointed under regulations under section 1 of the Police Pensions Act 1976 (c. 35) to hear appeals relating to constables of a police force within the meaning of the Police (Scotland) Act 1967 (c. 77) and to the categories of officer mentioned in regulation H6(10) of the Police Pensions Regulations 1987 (S.I. 1987/257), or in the corresponding regulation of any regulations amending or having effect in place of those regulations.</p>
	Rates	58. Valuation appeal committees constituted in accordance with section 4 of the Local Government (Scotland) Act 1975 (c. 30).
	Rents	59. Rent assessment committees constituted in accordance with Schedule 4 to the Rent (Scotland) Act 1984 (c. 58).
	Revenue	60. The Commissioners for the general purposes of the income tax acting under section 2 of the Taxes Management Act 1970 (c. 9) for any division in Scotland.
	Social work	<p>61. (a) Any children's hearing constituted and arranged in pursuance of the Social Work (Scotland) Act 1968 (c. 49);</p> <p>(b) any appeal tribunal established under Schedule 5 to that Act.</p>
	Taxi fares	62. The traffic commissioner for the Scottish Traffic Area as constituted for the purpose of the Public Passenger Vehicles Act 1981 (c. 14) in respect of his functions under section 18 of the Civic Government (Scotland) Act 1982 (c. 45).
	Value added tax	63. Value added tax tribunals for Scotland constituted under section 40 of, and Schedule 8 to, the Value Added Tax Act 1983 (c. 55).

SCHEDULE 2

Section 17.

TRANSITORY PROVISIONS

Transitory modifications of sections 6 and 7 and Schedule 1

1. If—

- (a) no date has been appointed before the commencement of this Act as the date on which paragraph 37 of Schedule 15 to the Criminal Justice Act 1988 is to come into force, or 1988 c. 33.
- (b) a date has been appointed which is later than the commencement of this Act,

paragraph 12 of Schedule 1 and the word “12” in section 7(2) shall be omitted until the appointed day.

2. If—

- (a) no date has been appointed before the commencement of this Act as the date on which paragraph 2 of Schedule 18 to the Courts and Legal Services Act 1990 is to come into force, or 1990 c. 41.
- (b) a date has been appointed which is later than the commencement of this Act,

paragraph 10 of Schedule 1 shall be omitted until the appointed day.

3. If—

- (a) no date has been appointed before the commencement of this Act as the date on which paragraph 1 of Schedule 5 to the Child Support Act 1991 is to come into force, or 1991 c. 48.
- (b) a date has been appointed which is later than the commencement of this Act,

paragraph 7 of Schedule 1 and the word “7” in section 6(3) shall be omitted until the appointed day.

4. In paragraphs 1, 2 and 3 “the appointed day” means

- (a) in the case mentioned in paragraph 1(a), 2(a) or 3(a), such day as may be appointed by the Secretary of State for the purposes of the paragraph concerned by order made by statutory instrument, and
- (b) in the case mentioned in paragraph 1(b), 2(b) or 3(b), the day appointed as the day on which the provision mentioned in paragraph 1(a), 2(a) or 3(a) (as the case may be) is to come into force.

Application of section 6 in relation to persons appointed before 1st January 1959

5.—(1) Any person appointed by the appropriate authority before 1st January 1959 to be chairman of any tribunal to which section 6(1) applies shall as from that day and during the continuance of his appointment be deemed to be, and to have been, a member of a panel constituted by the Lord Chancellor for the purposes of that tribunal and to have been selected by the appropriate authority to be chairman of the tribunal.

(2) Any person appointed by the appropriate authority before 1st January 1959 to be a member of a panel from which apart from this Act the chairman of the tribunal would fall to be selected shall from that day and during the continuance of his appointment be deemed to be, and to have been, a member of a panel constituted by the Lord Chancellor for the purposes of that tribunal.

SCH. 2 (3) Any power to terminate such an appointment as is mentioned in subparagraph (1) or (2) shall be exercisable by, and only by, the Lord Chancellor.

(4) Subsections (6), (8) and (9) of section 6 shall have effect in relation to this paragraph as they have effect in relation to that section.

Section 18(1).

SCHEDULE 3

CONSEQUENTIAL AMENDMENTS

The Land Compensation Act 1961 (c. 33)

1. In section 21(1) of the Land Compensation Act 1961, for “the Tribunals and Inquiries Act 1971 (or any enactment replaced thereby)” there is substituted “the Tribunals and Inquiries Act 1992 (or any enactment replaced thereby)”.

The Plant Varieties and Seeds Act 1964 (c. 14)

2. In section 10(2) of the Plant Varieties and Seeds Act 1964, for “section 13 of the Tribunals and Inquiries Act 1971” there is substituted “section 11 of the Tribunals and Inquiries Act 1992”.

The Town and Country Planning (Scotland) Act 1972 (c. 52)

3. In section 7(6) of the Town and Country Planning (Scotland) Act 1972 for “1971” there is substituted “1992”.

4. In section 11(1)(b) of that Act—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

5. In section 46(5) of that Act for “1971” there is substituted “1992”.

6. In paragraph 7(5) of Schedule 6A to that Act—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

7. In paragraph 7(1) of Schedule 7 to that Act—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

8. In paragraph 13 of Schedule 9 to that Act for “1971” there is substituted “1992”.

The Health and Safety at Work etc. Act 1974 (c. 37)

9. In section 44(4) of the Health and Safety at Work etc. Act 1974—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

The Friendly Societies Act 1974 (c. 46)

10. In section 76(1) of the Friendly Societies Act 1974, for “section 14 of the Tribunals and Inquiries Act 1971” there is substituted “section 12 of the Tribunals and Inquiries Act 1992”.

The House of Commons Disqualification Act 1975 (c. 24)

SCH. 3

11. In Part III of Schedule 1 to the House of Commons Disqualification Act 1975, in the entry beginning "A member of a panel appointed under section 7 of the Tribunals and Inquiries Act 1971", for "section 7 of the Tribunals and Inquiries Act 1971" there is substituted "section 6 of the Tribunals and Inquiries Act 1992".

The Ancient Monuments and Archaeological Areas Act 1979 (c. 46)

12. In section 55(6)(b) of the Ancient Monuments and Archaeological Areas Act 1979 for "1971" there is substituted "1992".

The Housing Act 1980 (c. 51)

13. In paragraph 2 of Schedule 22 to the Housing Act 1980 for "section 13(1) of the Tribunals and Inquiries Act 1971" there is substituted "section 11(1) of the Tribunals and Inquiries Act 1992".

The Acquisition of Land Act 1981 (c. 67)

14. In section 23(3)(b) of the Acquisition of Land Act 1981 for "1971" there is substituted "1992".

The Road Traffic Regulation Act 1984 (c. 27)

15. In paragraph 18(2) of Schedule 4 to the Road Traffic Regulation Act 1984—

- (a) for "section 13 of the Tribunals and Inquiries Act 1971" there is substituted "section 11 of the Tribunals and Inquiries Act 1992", and
- (b) for "and (3)" there is substituted "and (4)".

The Roads (Scotland) Act 1984 (c. 54)

16. In section 139(3) of the Roads (Scotland) Act 1984, for "1971" there is substituted "1992".

The Finance Act 1985 (c. 54)

17. In section 26(2)(a) of the Finance Act 1985 for "section 13 of the Tribunals and Inquiries Act 1971" there is substituted "section 11 of the Tribunals and Inquiries Act 1992".

The Agricultural Holdings Act 1986 (c. 5)

18. In paragraph 21 of Schedule 11 to the Agricultural Holdings Act 1986 for "Section 12 of the Tribunals and Inquiries Act 1971" there is substituted "Section 10 of the Tribunals and Inquiries Act 1992".

The Insolvency Act 1986 (c. 45)

19. In paragraph 1(2) of Schedule 7 to the Insolvency Act 1986 for "section 8 of the Tribunals and Inquiries Act 1971" there is substituted "section 7 of the Tribunals and Inquiries Act 1992".

The Legal Aid (Scotland) Act 1986 (c. 47)

20. In section 6(2) of the Legal Aid (Scotland) Act 1986, in the definition of "statutory inquiry", for "section 19(1) of the Tribunals and Inquiries Act 1971" there is substituted "section 16(1) of the Tribunals and Inquiries Act 1992".

SCH. 3

The Legal Aid Act 1988 (c. 34)

21. In section 43 of the Legal Aid Act 1988, in the definition of “statutory inquiry”, for “section 19(1) of the Tribunals and Inquiries Act 1971” there is substituted “section 16(1) of the Tribunals and Inquiries Act 1992”.

The Town and Country Planning Act 1990 (c. 8)

22. In section 16(3) of the Town and Country Planning Act 1990—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

23. In sections 20(7) and 35(8) of that Act for “1971” there is substituted “1992”.

24. In section 42(6) of that Act—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

25. In section 288(9) of that Act for “1971” there is substituted “1992”.

26. In section 323(1) of that Act for “section 11 of the Tribunals and Inquiries Act 1971” there is substituted “section 9 of the Tribunals and Inquiries Act 1992”.

27. In paragraph 9(1)(b) of Part II of Schedule 2 to that Act—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

28. In paragraph 8(1) of Schedule 6 to that Act—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

29. In paragraph 8(6) of Schedule 7 to that Act—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

30. In paragraph 5(3) of Schedule 8 to that Act for “1971” there is substituted “1992”.

The Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)

31. In section 63(6) of the Planning (Listed Buildings and Conservation Areas) Act 1990 for “1971” there is substituted “1992”.

32. In paragraph 7(1) of Schedule 3 to that Act—

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

The Planning (Hazardous Substances) Act 1990 (c. 10)

33. In section 22(4) of the Planning (Hazardous Substances) Act 1990 for “the Tribunals and Inquiries Act 1971” there is substituted “the Tribunals and Inquiries Act 1992”.

34. In paragraph 7(1) of the Schedule to that Act—

SCH. 3

(a) for “1971” there is substituted “1992”, and

(b) for “section 12(1)” there is substituted “section 10(1)”.

The Courts and Legal Services Act 1990 (c. 41)

35. In section 119(1) of the Courts and Legal Services Act 1990, in the definition of “court”, in paragraph (c), for “section 19(1) of the Tribunals and Inquiries Act 1971” there is substituted “section 16(1) of the Tribunals and Inquiries Act 1992”.

The Social Security Administration Act 1992 (c. 5)

36. In sections 41(4)(c), 43(5)(c) and 50(4)(c) of the Social Security Administration Act 1992 for “section 7 of the Tribunals and Inquiries Act 1971” there is substituted “section 6 of the Tribunals and Inquiries Act 1992”.

37. In paragraphs 9 and 14 of Schedule 7 to that Act for “section 10(1) of the Tribunals and Inquiries Act 1971” there is substituted “section 8(1) of the Tribunals and Inquiries Act 1992”.

Section 18(2).

SCHEDULE 4

REPEALS

PART I

ENACTMENTS REPEALED

Chapter	Short title	Extent of repeal
1971 c. 62.	The Tribunals and Inquiries Act 1971.	The whole Act.
1972 c. 11.	The Superannuation Act 1972.	In Schedule 6, paragraph 91.
1972 c. 58.	The National Health Service (Scotland) Act 1972.	In Schedule 6, paragraph 152.
1973 c. 32.	The National Health Service Reorganisation Act 1973.	In Schedule 4, paragraph 134.
1973 c. 38.	The Social Security Act 1973.	Section 66(4) and (9).
1974 c. 39.	The Consumer Credit Act 1974.	Sections 3 and 42.
1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraph 46.
1975 c. 68.	The Industry Act 1975.	In Schedule 3, paragraph 10.
1976 c. 35.	The Police Pensions Act 1976.	In Schedule 2, paragraph 9.
1977 c. 3.	The Aircraft and Shipbuilding Industries Act 1977.	Section 42(10).
1977 c. 49.	The National Health Service Act 1977.	In Schedule 15, paragraph 53.
1978 c. 23.	The Judicature (Northern Ireland) Act 1978.	In Schedule 5, in Part II, the entry relating to the Tribunals and Inquiries Act 1971.
1978 c. 29.	The National Health Service (Scotland) Act 1978.	In Schedule 16, paragraph 35.
1978 c. 44.	The Employment Protection (Consolidation) Act 1978.	In Schedule 16, paragraph 11.
1979 c. 38.	The Estate Agents Act 1979.	Section 24(1).
1980 c. 20.	The Education Act 1980.	Section 7(6).
1980 c. 44.	The Education (Scotland) Act 1980.	Section 28E(7).
1981 c. 54.	The Supreme Court Act 1981.	In Schedule 5, the entry relating to the Tribunals and Inquiries Act 1971.
1982 c. 10.	The Industrial Training Act 1982.	In Schedule 3, paragraph 2.
1982 c. 16.	The Civil Aviation Act 1982.	Section 7(3).
1982 c. 45.	The Civic Government (Scotland) Act 1982.	Section 18(11).

Chapter	Short title	Extent of repeal
1983 c. 20.	The Mental Health Act 1983.	In Schedule 4, paragraph 29.
1983 c. 41.	The Health and Social Services and Social Security Adjudications Act 1983.	In Schedule 9, in Part I, paragraphs 10, 11 and 15.
1984 c. 23.	The Registered Homes Act 1984.	In Schedule 1, paragraph 5.
1984 c. 31.	The Rating and Valuation (Amendment) (Scotland) Act 1984.	In Schedule 2, paragraph 12.
1984 c. 35.	The Data Protection Act 1984.	In Schedule 2, paragraph 13.
1985 c. 17.	The Reserve Forces (Safeguard of Employment) Act 1985.	In Schedule 4, paragraph 3.
1985 c. 65.	The Insolvency Act 1985.	In Schedule 1, paragraph 5.
1985 c. 67.	The Transport Act 1985.	In Schedule 2, in Part II, paragraph 2. In Schedule 7, paragraph 15.
1986 c. 5.	The Agricultural Holdings Act 1986.	In Schedule 14, paragraph 49.
1986 c. 39.	The Patents, Designs and Marks Act 1986.	In Schedule 2, in Part I, paragraph 1(2)(d).
1986 c. 45.	The Insolvency Act 1986.	In Schedule 14, the entry relating to the Tribunals and Inquiries Act 1971.
1986 c. 53.	The Building Societies Act 1986.	In section 48(3), the words "after consultation with the Council on Tribunals".
1986 c. 60.	The Financial Services Act 1986.	In Schedule 6, paragraph 6.
1987 c. 22.	The Banking Act 1987.	In section 30, in subsection (3), the words "after consultation with the Council on Tribunals" and, in subsection (4), the words from "after consultation" onwards. In Schedule 6, paragraph 4.
1988 c. 33.	The Criminal Justice Act 1988.	In Schedule 15, paragraph 37.
1988 c. 40.	The Education Reform Act 1988.	In Schedule 12, in Part I, paragraph 12.
1988 c. 41.	The Local Government Finance Act 1988.	In Schedule 12, in Part III, paragraph 41.
1988 c. 48.	The Copyright, Designs and Patents Act 1988.	In Schedule 7, paragraph 14.
1989 c. 39.	The Self-Governing Schools etc. (Scotland) Act 1989.	In Schedule 10, paragraph 4.

SCH. 4

SCH. 4

Chapter	Short title	Extent of repeal
1989 c. 41.	The Children Act 1989.	In Schedule 13, paragraph 30.
1990 c. 16.	The Food Safety Act 1990.	In Schedule 3, paragraph 14.
1990 c. 27.	The Social Security Act 1990.	Section 12(2).
1990 c. 41.	The Courts and Legal Services Act 1990.	In Schedule 18, paragraph 2.
1991 c. 21.	The Disability Living Allowance and Disability Working Allowance Act 1991.	In Schedule 2, paragraph 2(1).
1991 c. 40.	The Road Traffic Act 1991.	In Schedule 7, paragraph 1.
1991 c. 48.	The Child Support Act 1991.	In Schedule 5, paragraph 1.
1992 c. 6.	The Social Security (Consequential Provisions) Act 1992.	In Schedule 2, paragraphs 8 and 9.
1992 c. 14.	The Local Government Finance Act 1992.	In Schedule 13, paragraph 31.
1992 c. 38.	The Education (Schools) Act 1992.	In Schedule 4, paragraphs 2 and 3.

PART II

INSTRUMENTS REVOKED

Number	Title
S.I. 1972/1210.	The Tribunals and Inquiries (Value Added Tax Tribunals) Order 1972.
S.I. 1974/1478.	The Tribunals and Inquiries (Industrial Training Levy Exemption Referees) Order 1974.
S.I. 1974/1964.	The Tribunals and Inquiries (Misuse of Drugs Tribunals) Order 1974.
S.I. 1975/1404.	The Tribunals and Inquiries (Valuation Appeal Committees) Order 1975.
S.I. 1979/659.	The Tribunals and Inquiries (Vaccine Damage Tribunals) Order 1979.
S.I. 1984/1094.	The Tribunals and Inquiries (Dairy Produce Quota Tribunals) Order 1984.
S.I. 1984/1247.	The Tribunals and Inquiries (Foreign Compensation Commission) Order 1984.
S.I. 1991/2699.	The Tribunals and Inquiries (Specified Tribunals) Order 1991.

TABLE OF DERIVATIONS

Notes:

1. The following abbreviations are used in this Table:—

1971	= The Tribunals and Inquiries Act 1971 (c. 62)
1972 c. 11	= The Superannuation Act 1972 (c. 11)
1973 c. 36	= The Northern Ireland Constitution Act 1973 (c. 36)
1973 c. 38	= The Social Security Act 1973 (c. 38)
1974 c. 39	= The Consumer Credit Act 1974 (c. 39)
1976 c. 35	= The Police Pensions Act 1976 (c. 35)
1978 c. 30	= The Interpretation Act 1978 (c. 30)
1978 c. 44	= The Employment Protection (Consolidation) Act 1978 (c. 44)
1979 c. 38	= The Estate Agents Act 1979 (c. 38)
1980 c. 20	= The Education Act 1980 (c. 20)
1981 c. 54	= The Supreme Court Act 1981 (c. 54)
1982 c. 10	= The Industrial Training Act 1982 (c. 10)
1982 c. 16	= The Civil Aviation Act 1982 (c. 16)
1983 c. 41	= The Health and Social Services and Social Security Adjudications Act 1983 (c. 41)
1984 c. 35	= The Data Protection Act 1984 (c. 35)
1985 c. 65	= The Insolvency Act 1985 (c. 65)
1986 c. 53	= The Building Societies Act 1986 (c. 53)
1986 c. 60	= The Financial Services Act 1986 (c. 60)
1987 c. 22	= The Banking Act 1987 (c. 22)
1988 c. 33	= The Criminal Justice Act 1988 (c. 33)
1988 c. 48	= The Copyright, Designs and Patents Act 1988 (c. 48)
1990 c. 16	= The Food Safety Act 1990 (c. 16)
1990 c. 27	= The Social Security Act 1990 (c. 27)
1990 c. 41	= The Courts and Legal Services Act 1990 (c. 41)
1991 c. 21	= The Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21)
1991 c. 40	= The Road Traffic Act 1991 (c. 40)
1991 c. 48	= The Child Support Act 1991 (c. 48)
1992 c. 6	= The Social Security (Consequential Provisions) Act 1992 (c. 6)
S.I. 1972/1210	= The Tribunals and Inquiries (Value Added Tax Tribunals) Order 1972
S.I. 1974/1478	= The Tribunals and Inquiries (Industrial Training Levy Exemption Referees) Order 1974
S.I. 1974/1964	= The Tribunals and Inquiries (Misuse of Drugs Tribunals) Order 1974
S.I. 1979/659	= The Tribunals and Inquiries (Vaccine Damage Tribunals) Order 1979
S.I. 1984/1094	= The Tribunals and Inquiries (Dairy Produce Quota Tribunal) Order 1984
S.I. 1984/1247	= The Tribunals and Inquiries (Foreign Compensation Commission) Order 1984
S.I. 1991/2699	= The Tribunals and Inquiries (Specified Tribunals) Order 1991

2. The Table does not show the effect of the Transfer of Functions (Secretary of State and Lord Advocate) Order 1972 (S.I. 1972/2002), which transferred the functions of the Secretary of State under sections 2, 4, 5, 11, 12, 15, 16 and 19 of the Tribunals and Inquiries Act 1971 to the Lord Advocate.

3. The Bill consolidates the effect of the current orders under s. 15(1), (2), (3) and (4) of 1971. The power to vary or revoke these orders conferred by s. 16(2) is preserved in relation to the provisions of the Bill derived from such orders by clause 13(5).

<i>Provision of Bill</i>	<i>Derivation</i>
1(1)	1971 s. 1(1).
(2)	1971 s. 1(2); 1973 c. 36 s. 40(2).
2	1971 s. 2.
3	1971 s. 3.
4	1971 s. 4.
5	1971 s. 5.
6(1), (2)	1971 s. 7(1), (2).
(3)	1971 s. 7(3); Supplementary Benefits Act 1976 (c. 71) Sch. 7 para. 22; Social Security (Miscellaneous Provisions) Act 1977 (c. 5) s. 22(15); 1983 c. 41 Sch. 9 para. 10; 1991 c. 21 Sch. 2 para. 2(1); 1991 c. 48 Sch. 5 para. 1(1); S.I. 1979/659 art. 3.
(4)	Social Security Administration Act 1992 (c. 5) ss: 41, 43, 50.
(5)—(7)	1971 s. 7(4)—(6).
(8)	1971 s. 7(7); Sch. 1 para. 45(a); 1984 c. 58 s. 115(2).
(9)	1971 s. 7(8).
7(1)	1971 s. 8(1).
(2)	1971 s. 8(2); 1979 c. 38 s. 24(1)(a); 1982 c. 16 s. 7(3)(b); 1984 c. 35 Sch. 2 para. 13(a); 1985 c. 65 Sch. 1 para. 5(2); 1986 c. 60 Sch. 6 para. 6(a); 1987 c. 22 Sch. 6 para. 4(1); 1988 c. 33 Sch. 15 para. 37(1); 1990 c. 27 s. 12(2)(b); 1992 c. 6 Sch. 2 para. 8.
(3)	1971 s. 8(3).
8(1)	1971 s. 10(1); S.I. 1984/1247 art. 3.
(2)	1986 c. 53 s. 48(3); 1987 c. 22 s. 30(3).
(3)	1971 s. 10(2); 1987 c. 22 s. 30(4).
(4)	1971 s. 10(3).
9	1971 s. 11.
10(1)—(7)	1971 s. 12.
(8)	1971 s. 16(2)
11(1)	1971 s. 13(1); 1980 c. 20 s. 7(6); 1983 c. 41 Sch. 9 Pt. I para. 11; 1985 c. 65 Sch. 1 para. 5(3); 1986 c. 60 Sch. 6 para. 6(b); Education (Schools) Act 1992 (c. 38) Sch. 4 para 2; S.I. 1972/1210 art. 3; S.I. 1974/1478 art. 3.
(2)	1971 s. 13(1A); 1978 c. 44 Sch. 16 para. 11.
(3)	1971 s. 13(2); 1981 c. 54 Sch. 5.
(4)	1971 s. 13(3).
(5)	1971 s. 13(4).
(6)	1971 s. 13(5A); 1974 c. 39 s. 42(1).
(7)	1971 s. 13(6); 1974 c. 39 s. 42(2); Rating and Valuation (Amendment) (Scotland) Act 1984 (c. 31) Sch. 2 para. 12.
(8)	1971 s. 13(7); 1974 c. 39 s. 42(3); Judicature (Northern Ireland) Act 1978 (c. 23) Sch. 5.
(9)	1971 s. 13(8).
(10)	1971 s. 13(9).
12	1971 s. 14.
13(1)—(4)	1971 s. 15(1)—(4)
(5)	1971 s. 15(5). See Note 3 above.
(6)	1971 s. 15(6).
14(1)	1971 s. 19(4); 1974 c. 39 s. 3(b); 1979 c. 38 s. 24(1)(a); 1984 c. 35 Sch. 2 para. 13(b); S.I. 1984/1247 art. 4.
(2)	1973 c. 38 s. 66(4) and (9).
(3)	1982 c. 16 s. 7(3)(c).
15	1971 s. 16(1).

<i>Provision of Bill</i>	<i>Derivation</i>
16	1971 s. 19(1)—(3).
17	Introduces Sch. 2.
18(1)	Introduces Sch. 3
(2)	Introduces Sch. 4.
(3)	1971 Sch. 3.
19	—
Sch. 1 para. 1	1971 Sch. 1 para. 1; Agricultural Holdings Act 1986 (c. 5) Sch. 14 para. 49.
para. 2	1971 Sch. 1 para. 1A; Aircraft and Shipbuilding Industries Act 1977 (c. 3) s. 42(10).
para. 3	1982 c. 16 s. 7(3)(a).
para. 4	1971 Sch. 1 para. 2A; 1987 c. 22 Sch. 6 para. 4(2).
para. 5	1971 Sch. 1 para. 3.
para. 6	S.I. 1991/2699 art. 2(b).
para. 7	1971 Sch. 1 para. 4A; 1991 c. 48 Sch. 5 para. 1(2).
para. 8	1971 Sch. 1 paras. 4, 21A, 28A; 1983 c. 41 Sch. 9 paras. 12, 13, 14; Registered Homes Act 1984 (c. 23) Sch. 1 para. 5(a); Children Act 1989 (c. 41) Sch. 13 para. 30.
para. 9	1971 Sch. 1 para. 5
para. 10	1971 Sch. 1 para. 5AA; 1990 c. 41 Sch. 18 para. 2.
para. 11	1971 Sch. 1 para. 5A; 1988 c. 48 Sch. 7 para. 14.
para. 12	1971 Sch. 1 para. 5B; 1988 c. 33 Sch. 15 para. 37(2).
para. 13	S.I. 1984/1094 art. 2; 1978 c. 30 ss. 17(2)(a), 23.
para. 14	1971 Sch. 1 para. 5B; 1984 c. 35 Sch. 2 para. 13(c); 1988 c. 33 Sch. 15 para. 37(2).
para. 15	1971 Sch. 1 para. 6; 1980 c. 20 s. 7(6); Education Reform Act 1988 (c. 40) Sch. 12 Part I para. 12; Education (Schools) Act 1992 (c. 38) Sch. 4 para. 3.
para. 16	1971 Sch. 1 para. 10; 1982 c. 10 Sch. 3 para. 2.
para. 17	1971 Sch. 1 para. 6A; 1979 c. 38 s. 24(1)(b).
para. 18	1971 Sch. 1 para. 6B; 1986 c. 60 Sch. 6 para. 6(c).
para. 19	1971 Sch. 1 para. 6C; 1990 c. 16 Sch. 3 para. 14(1).
para. 20	S.I. 1984/1247 art. 2.
para. 21	1971 Sch. 1 para. 7; S.I. 1991/2699 art. 2(a).
para. 22	1971 Sch. 1 para. 8; 1978 c. 30 s. 17(2)(a).
para. 23	1971 Sch. 1 para. 9; 1978 c. 30 s. 17(2)(a).
para. 24	S.I. 1974/1478 art. 2.
para. 25	1971 Sch. 1 para. 9A; Industry Act 1975 (c. 68) Sch. 3 para. 10.
para. 26	1971 Sch. 1 para. 10A; 1985 c. 65 Sch. 1 para. 5(4); Insolvency Act 1986 (c. 45) Sch. 14.
para. 27	1971 Sch. 1 para. 12.
para. 28	1971 Sch. 1 para. 12A; Local Government Finance Act 1988 (c. 41) Sch. 12 Pt. III para. 41; Local Government Finance Act 1992 (c. 14) Sch. 13 para. 31.
para. 29	1971 Sch. 1 para. 13.
para. 30	1971 Sch. 1 para. 14; Mental Health Act 1983 (c. 20) Sch. 4 para. 29.
para. 31	1971 Sch. 1 para. 16.
para. 32	S.I. 1974/1964 art. 3.
para. 33	1971 Sch. 1 para. 17; National Health Service Reorganisation Act 1973 (c. 32) Sch. 4 para. 134; National Health Service Act 1977 (c. 49) Sch. 15 para. 53; National Health Service and Community Care Act 1990 (c. 19) s. 2(1)(b).
para. 34	1971 Sch. 1 para. 22; Patents, Designs and Marks Act 1986 (c. 39) Sch. 2 Part I para. 1(2)(d).
para. 35(a), (b)	1971 Sch. 1 para. 23(a), (b).

<i>Provision of Bill</i>	<i>Derivation</i>
(c)	1971 Sch. 1 para. 23(d)
(d)	1973 c. 38 s. 66(4), (9).
(e)	1971 Sch. 1 para. 23(e); Social Security Act 1990 (c. 27) s. 12(2)(a).
(f)	1971 Sch. 1 para. 23(c); 1972 c. 11 Sch. 6 para. 91(a); 1976 c. 35 Sch. 2 para. 9.
para. 36	1971 Sch. 1 para. 25; European Communities Act 1972 (c. 68) Sch. 4 para. 5(6).
para. 37	1971 Sch. 1 para. 28(b).
para. 38	1971 Sch. 1 para. 19(e), (f); Reserve Forces (Safeguard of Employment) Act 1985 (c. 17) Sch. 4 para. 3.
para. 39	1971 Sch. 1 para. 29(a), (b), (d); 1978 c. 30 s. 17(2)(a).
para. 40	1971 Sch. 1 para. 30; Transport Act 1985 (c. 67) Sch. 2 Part II para. 2(2); 1991 c. 40 Sch. 7 para. 1.
para. 41	1971 Sch. 1 para. 30A; Social Security (Consequential Provisions) Act 1975 (c. 16) Sch. 2 para. 46; 1992 c. 6 Sch. 2 para. 9.
para. 42	1971 Sch. 1 para. 31; Transport Act 1985 (c. 67) Sch. 7 para. 15.
para. 43	S.I. 1979/659 art. 2.
para. 44	S.I. 1972/1210 art. 2(a).
para. 45	1971 Sch. 1 para. 32.
para. 46	1971 Sch. 1 para. 33; 1978 c. 30 s. 17(2)(a).
para. 47	1971 Sch. 1 para. 34.
para. 48	1971 Sch. 1 para. 35.
para. 49	S.I. 1984/1094 art. 2; 1978 c. 30 s. 17(2)(a), 23(2).
para. 50	1971 Sch. 1 para. 36; 1978 c. 30 s. 17(2)(a); Education (Scotland) Act 1980 (c. 44) s. 28E(7); Education (Scotland) Act 1981 (c. 58) s. 1(1); Self-Governing Schools etc. (Scotland) Act 1989 (c. 39) Sch. 10 para. 4.
para. 51	1971 Sch. 1 para. 38; 1982 c. 10 Sch. 3 para. 2.
para. 52	1971 Sch. 1 para. 36A; 1990 c. 16 Sch. 3 para. 14(2).
para. 53	1971 Sch. 1 para. 37; S.I. 1991/2699 art. 3(a).
para. 54	1971 Sch. 1 para. 39.
para. 55	S.I. 1974/1964 art. 3.
para. 56	1971 Sch. 1 para. 41; National Health Service (Scotland) Act 1972 (c. 58) Sch. 6 para. 152; National Health Service (Scotland) Act 1978 (c. 29) Sch. 16 para. 35; S.I. 1991/2699 art. 3(b).
para. 57	1971 Sch. 1 para. 43; 1972 c. 11 Sch. 6 para. 91(b); 1976 c. 35 Sch. 2 para. 9.
para. 58	Tribunals and Inquiries (Valuation Appeal Committees) Order 1975 (S.I. 1975/1404) art. 3.
para. 59	1971 Sch. 1 para. 45; Rent (Scotland) Act 1984 (c. 58) Sch. 8 Part I para. 1.
para. 60	1971 Sch. 1 para. 46.
para. 61	1971 Sch. 1 para. 47.
para. 62	1971 Sch. 1 para. 48; Civic Government (Scotland) Act 1982 (c. 45) s. 18(11); Transport Act 1985 (c. 67) Sch. 2 part II para. 2(3).
para. 63	S.I. 1972/1210 art. 2(b).
Sch. 2	
paras. 1-4	1988 c. 33 s. 171(1); 1990 c. 41 s. 124(3); 1991 c. 48 s. 58(2).
para. 5	1971 Sch. 2 para. 1.
Sch. 3	—
Sch. 4	—

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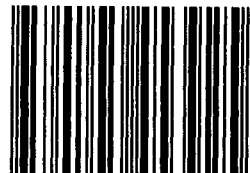
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