

# **TRIBUNALS, COURTS AND ENFORCEMENT ACT 2007**

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## **EXPLANATORY NOTES**

### **PART 1: TRIBUNALS AND INQUIRIES**

#### *Commentary on Sections: Part 1*

#### *Section 23: Practice directions*

152. [Section 23](#) provides the Senior President with the statutory authority to supplement Tribunal Procedure Rules by means of practice directions. These directions may (for example) take the form of guidance, interpretation of the law, matters of precedent or the delegation of judicial functions to senior members. The giving of practice directions is one of the functions that the Senior President may choose to delegate to Chamber Presidents under section 8. Following the Concordat, practice directions made either by the Senior President or a Chamber President will usually require the Lord Chancellor's approval. There are two exceptions. The first is where practice directions consist of guidance about the application and interpretation of law or the making of decisions. The second exception is where practice directions consist of criteria for determining which members of the tribunals may be chosen to decide particular categories of matter. Practice directions given by a Chamber President in his own right (i.e. as opposed to directions given by him when exercising, under a delegation, the Senior President's power to give practice directions) will always require the Senior President's approval, whether or not they also require the Lord Chancellor's approval.