



# Tribunals, Courts and Enforcement Act 2007

## 2007 CHAPTER 15

### PART 1

#### TRIBUNALS AND INQUIRIES

#### CHAPTER 3

##### TRANSFER OF TRIBUNAL FUNCTIONS

### **33 Power to provide for appeal to Upper Tribunal from tribunals in Scotland**

- (1) Subsection (2) applies if—
  - (a) a function is transferred under section 30(1)(a), (c), (d) or (e) in relation to England (whether or not also in relation to Wales) but is not transferred under section 30(1) in relation to Scotland,
  - (b) an appeal may be made to the Upper Tribunal against any decision, or any decision of a particular description, made in exercising the transferred function in relation to England, and
  - (c) no appeal may be made against a corresponding decision made in exercising the function in relation to Scotland.
- (2) The Lord Chancellor may by order provide for an appeal against any such corresponding decision to be made to the Upper Tribunal.
- (3) An order under subsection (2)—
  - (a) may include provision for the purposes of or in consequence of, or for giving full effect to, provision made by the order;
  - (b) may include such incidental, supplemental, transitional or consequential provision or savings as the Lord Chancellor thinks fit.

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**Changes to legislation:** Tribunals, Courts and Enforcement Act 2007, Section 33 is up to date with all changes known to be in force on or before 25 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (4) An order under subsection (2) does not cease to have effect, and power to vary or revoke the order does not cease to be exercisable, just because either or each of the conditions in subsection (1)(b) and (c) ceases to be satisfied in relation to the function and decisions concerned.

**Changes to legislation:**

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 13(8)(bza) inserted by [2022 c. 36 s. 23\(2\)](#)
- s. 13(8)(bzb) inserted by [2022 c. 36 s. 24\(9\)](#)
- s. 16(3)(a) word inserted by [2015 c. 2 s. 85\(3\)\(a\)](#)
- s. 16(3)(b) and word inserted by [2015 c. 2 s. 85\(3\)\(b\)](#)
- s. 16(3A)(3B) inserted by [2015 c. 2 s. 85\(4\)](#)
- s. 22(6) inserted by [2022 c. 35 Sch. 4 para. 4\(2\)](#)
- s. 23(8) inserted by [2022 c. 35 Sch. 4 para. 4\(3\)](#)
- s. 25A inserted by [2022 c. 36 s. 80\(1\)](#)
- s. 29(3A) inserted by [2022 c. 36 s. 81\(6\)](#)
- Sch. 5 para. 11A and cross-heading inserted by [2022 c. 36 s. 80\(2\)](#)
- Sch. 7 para. 6(1)(e) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)
- Sch. 7 para. 6(4)(b) words substituted by [2013 c. 22 Sch. 14 para. 13\(2\)](#) (Sch. 7 was already repealed when this amendment came into force)