
STATUTORY INSTRUMENTS

2009 No. 1976

The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009

PART 2

General powers and provisions

Transfer of ^{F1}... cases to the Upper Tribunal

19.—(1) This rule applies to charities cases [^{F2}and proceedings under the Data Protection Act 1998 [^{F3}, the Data Protection Act 2018] and the Freedom of Information Act 2000 (including those Acts as applied and modified by the Privacy and Electronic Communications (EC Directive) Regulations 2003 and the Environmental Information Regulations 2004)].

[^{F4}(1A) On receiving a notice of appeal in an appeal under section 28 of the Data Protection Act 1998 [^{F5}, sections 27, 79 or 111 of the Data Protection Act 2018] or section 60 of the Freedom of Information Act 2000 (including that section as applied and modified by regulation 18 of the Environmental Information Regulations 2004) (appeals in relation to national security certificates) the Tribunal must transfer the case to the Upper Tribunal without taking further action in relation to the appeal.]

(2) [^{F6}In any other case,] the Tribunal may refer a case or a preliminary issue to the President of the General Regulatory Chamber [^{F7}of the First-tier Tribunal] with a request that the case or issue be considered for transfer to the Upper Tribunal.

(3) If a case or issue has been referred by the Tribunal under paragraph (2), the President of the General Regulatory Chamber may, with the concurrence of the President of the appropriate Chamber of the Upper Tribunal, direct that the case or issue be transferred to and determined by the Upper Tribunal.

Textual Amendments

- F1** Words in rule 19 heading omitted (18.1.2010) by [Tribunal Procedure \(Amendment\) Rules 2010 \(S.I. 2010/43\)](#), rule 24(a)
- F2** Words in rule 19(1) inserted (18.1.2010) by [Tribunal Procedure \(Amendment\) Rules 2010 \(S.I. 2010/43\)](#), rule 24(b)
- F3** Words in rule 19(1) inserted (30.10.2018) by [The Tribunal Procedure \(Amendment No. 2\) Rules 2018 \(S.I. 2018/1053\)](#), rules 1, **4(2)(a)**
- F4** Rule 19(1A) inserted (18.1.2010) by [Tribunal Procedure \(Amendment\) Rules 2010 \(S.I. 2010/43\)](#), rule 24(c)
- F5** Words in rule 19(1A) inserted (30.10.2018) by [The Tribunal Procedure \(Amendment No. 2\) Rules 2018 \(S.I. 2018/1053\)](#), rules 1, **4(2)(b)**
- F6** Words in rule 19(2) inserted (18.1.2010) by [Tribunal Procedure \(Amendment\) Rules 2010 \(S.I. 2010/43\)](#), rule 24(d)

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

F7 Words in art. 19(2) inserted (1.4.2011) by [The Tribunal Procedure \(Amendment\) Rules 2011 \(S.I. 2011/651\)](#), arts. 1(2)(a), **2(3)**

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

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

- rule 22(6)(h)(i) inserted by [S.I. 2019/865 reg. 3\(3\)](#) (This amendment not applied to legislation.gov.uk. Regs. 2-10 omitted immediately before IP completion day by virtue of S.I. 2020/1637, regs. 1(6), 6)
- rule 22(6)(k)(l) inserted by [S.I. 2019/1342 reg. 2\(3\)](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- rule 22(6)(m) inserted by [S.I. 2024/364 rule 3\(2\)\(b\)](#)