

## SCHEDULES

### SCHEDULE 2

#### TRANSITIONAL AND SAVING PROVISIONS

2.—(1) The following sub-paragraphs apply where proceedings are continued in the Upper Tribunal by virtue of paragraph 1.

(2) Where a hearing began before the transfer date but was not completed by that date, the Upper Tribunal must be comprised for the continuation of that hearing of the person or persons who began it.

(3) The Upper Tribunal may give any direction to ensure that proceedings are dealt with fairly and, in particular, may—

(a) apply any provision in procedural rules which applied to the proceedings before the transfer date; or

(b) disapply provisions of Tribunal Procedure Rules.

(4) In sub-paragraph (3) “procedural rules” means provision (whether called rules or not) regulating practice or procedure before a tribunal.

(5) Any direction or order given or made in proceedings which is in force immediately before the transfer date remains in force on and after that date as if it were a direction or order of the Upper Tribunal.

(6) A time period which has started to run before the transfer date and which has not expired shall continue to apply.

(7) An order for costs may only be made if, and to the extent that, an order could have been made before the transfer date.