



# Tribunals and Inquiries Act 1971

## 1971 CHAPTER 62

An Act to consolidate the Tribunals and Inquiries Acts 1958 and 1966 as amended. [27th July 1971]

### Modifications etc. (not altering text)

- C1** Act excluded (E.W.) by [Town and Country Planning Act 1990](#) (c. 8, SIF 123:1), [s. 35B\(7\)](#) (as inserted (25.11.1991 to the extent mentioned in S.I. 1991/2728, [art. 2](#) and 10.2.1992 otherwise) by [Planning and Compensation Act 1991](#) (c. 34, 123:1), s. 27, [Sch. 4 para. 17](#); S.I. 1991/2728, [art.2](#); S.I. 1991/2905, [art.4](#))  
Act applied (with modifications) (E.W.S.) (1.1.1993) by [Transport and Works Act 1992](#) (c. 42), [s. 23\(9\)](#); S.I. 1992/2784, [art. 2](#), [Sch.1](#).
- C2** Act extended by [Health and Safety at Work etc. Act 1974](#) (c. 37), [s. 44\(4\)](#)
- C3** Act applied (S.) with modifications by [Town and Country Planning \(Scotland\) Act 1972](#) (c. 52, SIF 23:2), [ss. 11\(1\)\(b\)](#), 46(5), 47(7), Sch. 7 para. 7(1), Sch. 9 para. 13
- C4** Act extended with modifications (S.) by [Town and Country Planning \(Scotland\) Act 1972](#) (c. 52, SIF 123:2), [Sch. 6A para. 7\(5\)](#) (as inserted by [Housing and Planning Act 1986](#) (c. 63, SIF 123:2), s. 26(2), [Sch. 6 Pt. III](#))
- C5** Act extended with modifications by [Local Government Act 1985](#) (c. 51, SIF 81:1), s. 4, [Sch. 1 para. 6\(1\)\(b\)\(3\)](#) (the extension being in force as regards specified areas by virtue of S.I. 1988/140, 1989/1065, 1089, 1979, 2114, 1990/652, 1183 and being otherwise prospective)
- C6** Act extended (S.) by [Roads \(Scotland\) Act 1984](#) (c. 54, SIF 108), [ss. 128\(1\)](#), 139(3)
- C7** Act extended by [Civil Aviation Act 1982](#) (c. 16, SIF 9), [s. 7\(3\)](#)
- C8** Act applied by [Town and Country Planning Act 1990](#) (c. 8, SIF 123:1), [ss. 28, 29, 101\(4\)](#), Sch. 2 Pt. II para. 9(1)(b), [Sch. 8 para. 5\(3\)](#)
- C9** Act applied with modifications by [Town and Country Planning Act 1990](#) (c. 8, SIF 123:1), [ss. 42\(6\), 49, 79, 83, 175, 195, 208](#), Sch. 6 para. 8(1), [Sch. 7 para. 8\(6\)](#)
- C10** Act applied with modifications (E.W.) (*prosp.* in part) by [Town and Country Planning Act 1990](#) (c. 8, SIF 123:1), [ss. 10, 16\(3\), 24, 28\(1\)\(2\)](#)
- C11** Act applied with modifications (E.W.) by [Planning \(Listed Buildings and Conservation Areas\) Act 1990](#) (c. 9, SIF 123:1), [ss. 22, 40](#), [Sch. 3 para. 7\(1\)](#)
- C12** Act applied with modifications (E.W.) (1.6.1992) by [Planning \(Hazardous Substances\) Act 1990](#) (c. 10, SIF 123:1), [ss. 21, Sch. para. 7\(1\)](#); S.I. 1992/725, [art.3](#).

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

### Commencement Information

**II** Act not in force at Royal Assent see [s. 20\(2\)](#); Act wholly in force at 27.8.1971

## *The Council on Tribunals and its functions*

### 1 Council on Tribunals.

- (1) There shall continue to be a council entitled the Council on Tribunals (being the council constituted by the <sup>M1</sup>Tribunals and Inquiries Act 1958)—
- (a) to keep under review the constitution and working of the tribunals specified in Schedule 1 to this Act (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 to this Act, or any such tribunal;
  - (c) to consider and report on such matters as may be referred as aforesaid, 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 shall authorise or require the Council to deal with any matter with respect to which the Parliament of Northern Ireland has power to make laws.

### Modifications etc. (not altering text)

- C13** [S. 1\(1\)\(c\)](#) extended (S.) by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\), s. 7\(6\)](#)
- C14** [S. 1\(1\)\(c\)](#) extended by [Local Government Act 1985 \(c. 51, SIF 81:1\), s. 4, Sch. 1 para. 9\(7\)](#) (the extension being in force as regards specified areas by virtue of [S.I. 1988/140](#), [1989/1065](#), [1089](#), [1979](#), [2114](#), [1990/652](#), [1183](#) and being otherwise prospective)
- C15** [S. 1\(1\)\(c\)](#) extended (E.W.) (*prosp.* in part) by [Town and Country Planning Act 1990 \(c. 8, SIF 123:1\), ss. 10, 20\(7\), 24, 28\(1\)\(2\)](#)
- C16** [S. 1\(1\)\(c\)](#) extended (E.W.) by [Town and Country Planning Act 1990 \(c. 8, SIF 123:1\), ss. 29, 35\(8\), 49](#)
- C17** [S. 1\(1\)\(c\)](#) extended (E.W.) by [Town and Country Planning Act 1990 \(c. 8, SIF 123:1\), s. 35B\(7\)](#) (as inserted (25.11.1991 to the extent mentioned in [S.I. 1991/2728](#) art. 2 and 10.2.1992 otherwise) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\), s. 27, Sch. 4 para.17; S.I. 1991/2728, art.2; S.I. 1991/2905, art.4.](#))
- C18** Reference to matters with respect to which the Parliament of Northern Ireland has power to make laws to be construed as a reference to matters with respect to which that Parliament would have had power to make laws if the [Northern Ireland Constitution Act 1973 \(c. 36\)](#) had not been passed: *ibid.*, s. 40(2)

### Marginal Citations

**M1** [1958 c. 66.](#)

### 2 Composition of the Council and the Scottish Committee.

- (1) Subject to subsection (3) of this section the Council on Tribunals (in this Act referred to as “the Council”) shall consist of not more than fifteen nor less than ten members appointed by the Lord Chancellor and [<sup>F1</sup>the Lord Advocate] and one of the members shall be so appointed to be chairman of the Council.

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

- (2) There shall be a Scottish Committee of the Council (in this Act referred to as “the Scottish Committee”) which, subject to subsection (3) of this section, shall consist of—
- (a) either two or three members of the Council designated by [<sup>F1</sup>the Lord Advocate]; and
  - (b) either three or four persons, not being members of the Council, appointed by [<sup>F1</sup>the Lord Advocate];
- and [<sup>F1</sup>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 as aforesaid, 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.

#### Textual Amendments

**F1** Words substituted by [S.I. 1972/2002](#), [art. 3\(3\)\(c\)](#)

### **3 Tenure of office, remuneration and expenses.**

- (1) Persons appointed under section 2 of this Act 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 to the chairman of the Council and the chairman of the Scottish Committee such salaries, and to the other members of the Council and of the Scottish Committee such fees (if any) as may be determined by the Treasury.
- (3) The salaries and fees payable under subsection (2) of this section, 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 moneys provided by Parliament.

### **4 Reports of, and references to, Council and Scottish Committee.**

- (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 [<sup>F2</sup>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 [<sup>F2</sup>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 to this Act, or on any matter referred to the Council by [<sup>F2</sup>the Lord Advocate], until the Council have referred the matter of the report for consideration, and report to the Council, by the Scottish Committee and have considered the report of that Committee.

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- (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) of this Act, then—
- (a) if the matter relates only to England and Wales, subsection (2) of this section 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) of this section shall apply as if the matter had been referred to them by [<sup>F2</sup>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 to this Act or with respect to any matter falling within section 1(1)(c) of this Act and relating only to Scotland.
- (6) If the Council, 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 if the Council 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 [<sup>F2</sup>the Lord Advocate].
- (7) The Council shall make an annual report to the Lord Chancellor and [<sup>F2</sup>the Lord Advocate] on their proceedings and those of the Scottish Committee, and the Lord Chancellor and [<sup>F2</sup>the Lord Advocate] shall lay the annual report before Parliament with such comments (if any) as they think fit.

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**Textual Amendments**

**F2** Words substituted by S.I. 1972/2002, art. 3(3)(c)

**5 Recommendations of Council as to appointment of members of tribunals.**

- (1) Without prejudice to the generality of section 1(1)(a) of this Act, the Council may make to the appropriate Minister general recommendations as to the making of appointments to membership of any such tribunals as are specified in Schedule 1 to this Act or of panels constituted for the purposes of any such tribunals; and (without prejudice, however, to any statutory provisions having effect with respect to such appointments) the appropriate Minister shall have regard to recommendations under this section.
- (2) In this section “the appropriate Minister” means, in relation to appointments of any description, 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 such tribunal as is specified in Part II of Schedule 1 to this Act—
- (a) the Council shall not make any such recommendations as aforesaid until they have referred the matter of the recommendations for consideration, and report to the Council, by the Scottish Committee and have considered the report of that Committee;
  - (b) without prejudice to the generality of section 4(5) of this Act, the Scottish Committee may of its own motion propose any such general recommendations

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as aforesaid as expedient to be made by the Council to the appropriate Minister;

- (c) if the Council, 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 if the Council 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 [<sup>F3</sup>the Lord Advocate].

**Textual Amendments**

**F3** Words substituted by [S.I. 1972/2002, art. 3\(3\)\(c\)](#)

**Modifications etc. (not altering text)**

**C19** [S. 5](#) extended by [Social Security Act 1973 \(c. 38\), s. 66\(4\)](#)

**C20** [S. 5](#) extended by [Social Security Act 1973 \(c. 38, SIF 113:1\), s. 66\(4\)](#)

**6** <sup>F4</sup> .....

**Textual Amendments**

**F4** [S. 6](#) repealed by [Local Government Act 1972 \(c. 70\), Sch. 30](#)

*Composition and procedure of tribunals and inquiries*

**7 Chairmen etc. of certain tribunals: provisions as to appointment. E+W+S**

- (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) of this section applies to any such tribunal as is specified in paragraph . . . <sup>F5</sup> 19(a), (b) or (e), [<sup>F6</sup> . . . [<sup>F7</sup><sup>F8</sup> or 30A(a) [<sup>F9</sup>, (c) or (d)]]] of Schedule 1 to this Act. . . <sup>F7</sup>.
- (4) The person or persons constituting any such tribunal as is specified in paragraph 16 of Schedule 1 to this Act 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.
- (5) 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.

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- (6) 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.
- (7) The following provisions shall have effect for the application of this section to Scotland—
- (a) in relation to any of the tribunals referred to in the foregoing provisions of 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;
  - (b) subsection (1) of this section shall apply, with the substitution aforesaid, to any such tribunal as is specified in paragraph 45(a) of Schedule 1 to this Act.
- (8) In relation to any of the tribunals referred to in the foregoing provisions of 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.

#### Extent Information

- E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only.

#### Textual Amendments

- F5** Words repealed by [Social Security \(Miscellaneous Provisions\) Act 1977 \(c. 5\), Sch. 2](#)
- F6** Words in s. 7(3) substituted (E.W.S.) by [Supplementary Benefits Act 1976 \(c. 71\), s. 35\(2\), Sch. 7 para. 22\(a\)](#)
- F7** Words repealed (E.W.S.) by [Housing Act 1980 \(c. 51, SIF 61\), s. 152, Sch. 26](#)
- F8** Words in s. 7(3) inserted by [Social Security \(Miscellaneous Provisions\) Act 1977 \(c. 5\), s. 22\(15\)](#) and substituted (E.W.S.) by [Health and Social Services and Social Security Adjudications Act 1983 \(c. 41, SIF 113:3\), s. 29, Sch. 9 Pt. 1 para. 10](#)
- F9** Words in s. 7(3) substituted (3.2.1992) by [Disability Living Allowance and Disability Working Allowance Act 1991 \(c. 21, SIF 113:1\), s. 4\(2\), Sch. 2 para. 2\(1\); S.I. 1991/2617, art. 2\(c\)\(d\)](#)

#### Modifications etc. (not altering text)

- C21** S. 7 applied by [S.I. 1979/659, art. 3](#)

## 7 Chairmen etc. of certain tribunals: provisions as to appointment. **N.I.**

- (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) of this section applies to any such tribunal as is specified in paragraph . . . . .<sup>F125</sup>, 19(a), (b) or (e), 20 or 28(a) [<sup>F126</sup>30A(a) [<sup>F127</sup>, (c) or (d)]] of Schedule 1 to this Act, but, in relation to any such tribunal as is specified in paragraph



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28(a) of that Schedule, this section shall have effect subject to paragraph 3(3) of Schedule 10 to the <sup>M29</sup>Rent Act 1968.

- (4) The person or persons constituting any such tribunal as is specified in paragraph 16 of Schedule 1 to this Act 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.
- (5) 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.
- (6) 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.
- (7) The following provisions shall have effect for the application of this section to Scotland—
  - (a) in relation to any of the tribunals referred to in the foregoing provisions of 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;
  - (b) subsection (1) of this section shall apply, with the substitution aforesaid, to any such tribunal as is specified in paragraph 45(a) of Schedule 1 to this Act.
- (8) In relation to any of the tribunals referred to in the foregoing provisions of 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.

#### **Extent Information**

- E3** This version of this provision extends to Northern Ireland only; a separate version has been created for England, Wales and Scotland only.

#### **Textual Amendments**

- F125** Words repealed by [Social Security \(Miscellaneous Provisions\) Act 1977 \(c. 5\), Sch. 2](#)
- F126** Words inserted by [Social Security \(Miscellaneous Provisions\) Act 1977 \(c. 5\), s. 22\(15\)](#)
- F127** Words in s. 7(3) substituted (3.2.1992) by [Disability Living Allowance and Disability Working Allowance Act 1991 \(c. 21, SIF 113:1\), s. 4\(2\), Sch. 2 para. 2\(1\); S.I. 1991/2617, art. 2\(c\)\(d\)](#)

#### **Modifications etc. (not altering text)**

- C58** S. 7 applied by [S.I. 1979/659, art. 3](#)

#### **Marginal Citations**

- M29** [1977 c. 42.](#)

## **8 Concurrence required for removal of members of certain tribunals.**

- (1) Subject to subsection (2) of this section, no power of a Minister other than the Lord Chancellor to terminate a persons’s membership of any such tribunal as is specified in Schedule 1 to this Act, or of a panel constituted for the purposes of any such tribunal, shall be exercisable except with the consent of—

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- (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 such tribunal as is specified in paragraph [F10 2A][F11 5A][F12, 5B][F13 6A][F14 6B][F15 7A][F16 10A]17(a), 22, [F17 23(e)], 25(a), 29(b), 30, 35 [F18 37A] or 41(a) of Schedule 1 to this Act.
- (3) For the purposes of this section in its application to any such tribunal as is specified in paragraph 8(a) of Schedule 1 to this Act, an adjudicator who has sat only in England or Wales or 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 or which sits only in Scotland or which sits only in Northern Ireland, as the case may be.

#### Textual Amendments

- F10** Words inserted by [Banking Act 1987 \(c. 22, SIF 10\)](#), s. 108(1), **Sch. 6 para. 4(1)**
- F11** Words inserted by [Data Protection Act 1984 \(c. 35, SIF 106\)](#), s. 3(6), **Sch. 2 para. 13(a)**
- F12** Words inserted (*prosp.*) by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170(1), 171(1), **Sch. 8 para. 16, Sch. 15 para. 37(1)**
- F13** Words substituted by [Estate Agents Act 1979 \(c. 38, SIF 124:4\)](#), **s. 24(1)(a)**
- F14** Words inserted by [Financial Services Act 1986 \(c. 60, SIF 69\)](#), s. 96(6), **Sch. 6 para. 6(a)**
- F15** Words repealed (E.W.S.) by [Health Services Act 1980 \(c. 53, SIF 113:2\)](#), s. 25(4), **Sch. 7**
- F16** Words inserted (E.W.S.) by [Insolvency Act 1985 \(c. 65, SIF 66\)](#), s. 8, **Sch. 1 para. 5(2)** (but s. 8 of the 1985 Act is repealed by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 438, **Sch. 12**)
- F17** Words inserted by [Social Security Act 1990 \(c. 27, SIF 113:1\)](#), **s. 12(2)(b)**
- F18** Words repealed (E.W.S.) by [Health Services Act 1980 \(c. 53, SIF 113:2\)](#), s. 25(4), **Sch. 7**

#### Modifications etc. (not altering text)

- C22** [S. 8](#) extended (E.W.S.) by [Insolvency Act 1986 \(c. 45, SIF 66\)](#), s. 396, **Sch. 7 para. 1(2)**
- C23** [S. 8](#) excluded by [Civil Aviation Act 1982 \(c. 16, SIF 9\)](#), **s. 7(3)(b)**

#### Textual Amendments

- F19** [S. 9](#) repealed by [Reserve Forces \(Safeguard of Employment\) Act 1985 \(c. 17, SIF 7:2\)](#), s. 21, **Sch. 5**



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## 10 Procedural rules for tribunals.

- (1) No power of a Minister, the Lord President of the Court of Session [<sup>F20</sup>the Commissioners of Inland Revenue or the Commissioners of Customs and Excise] to make, approve, confirm or concur in procedural rules for any such tribunal as is specified in Schedule 1 to this Act shall be exercisable except after consultation with the Council.
- (2) The Council, in the exercise of their functions under this section as respects any such tribunal as is specified in Part II of Schedule 1 to this Act, shall consult with the Scottish Committee.
- (3) In this section “procedural rules” includes any statutory provision relating to the procedure of the tribunal in question.

### Textual Amendments

**F20** Words substituted by [S.I. 1972/1210, art. 4](#)

### Modifications etc. (not altering text)

**C24** By [S.I. 1984/1247, art. 3](#) it is provided that [s. 10](#) shall have effect as if for the words “the Commissioners of Inland Revenue or the Commissioners of Customs and Excise” there were substituted the words “the Commissioners of Inland Revenue, the Commissioners of Customs and Excise or the Foreign Compensation Commission”

## 11 Procedure in connection with statutory inquiries.

- (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) of this section, rules made under this section may regulate procedure in connection with matters preparatory to such statutory inquiries as are mentioned in subsection (1) of this section, 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, for any reference to the Lord Chancellor there shall be substituted a reference to [<sup>F21</sup>the Lord Advocate]; and the Council, in exercising their functions under this section in relation to rules to be made by [<sup>F21</sup>the Lord Advocate], shall consult with the Scottish Committee.

### Textual Amendments

**F21** Words substituted by [S.I. 1972/2002, art. 3\(3\)\(c\)](#)

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## 12 Reasons to be given for decisions of tribunals and Ministers.

- (1) Subject to the provisions of this section, where—
- (a) any such tribunal as is specified in Schedule 1 to this Act gives any decision; or
  - (b) any Minister notifies any decision taken by him after the holding by him or on his behalf of a statutory inquiry, or taken by him in a case in which a person concerned could (whether by objecting or otherwise) have required the holding as aforesaid of a statutory inquiry,
- 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 said statement may be refused, or the specification of the reasons restricted, on grounds of national security, and the tribunal or Minister may refuse to furnish the statement to a person not primarily concerned with the decision if of opinion that to furnish it would be contrary to the interests of any person primarily concerned.
- (3) Subsection (1) of this section shall not apply to any decision taken by a Minister after the holding by him or on his behalf of any inquiry or hearing which is a statutory inquiry by virtue only of an order made under section 19(2) of this Act unless the order contains a direction that this section is to apply in relation to any inquiry or hearing to which the order applies.
- (4) Subsection (1) of this section shall not apply to decisions in respect of which any statutory provision has effect, apart from this section, as to the giving of reasons, or 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.
- (5) Any statement of the reasons for such a decision as is mentioned in paragraph (a) or (b) of subsection (1) of this section, 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.
- (6) If, after consultation with the Council, it appears to the Lord Chancellor and [<sup>F22</sup>the Lord Advocate] that it is expedient that decisions of any particular tribunal or any description of such decisions, or any description of decisions of a Minister, should be excluded from the operation of subsection (1) of this section 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 [<sup>F22</sup>the Lord Advocate] may by order direct that subsection (1) of this section shall not apply to such decisions.

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### Textual Amendments

**F22** Words substituted by [S.I. 1972/2002](#), [art. 3\(3\)\(c\)](#)

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### Modifications etc. (not altering text)

**C25** [S. 12](#) applied by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 84, 94, 99, [Sch. 11 para. 21](#), [Sch. 13 para. 3](#)

**C26** [S. 12\(1\)](#) applied by [S.I. 1975/1379](#), [art. 4](#)

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

*Judicial control of tribunals etc.*

**13 Appeals from certain tribunals.**

- (1) If any party to proceedings before any such tribunal as is specified in paragraph 2(b), [F23 4], [F24 6][F24 6(a)][F25 6B], 10 [F26 10A], 16, 17(b), [F27 18(a)], 21, 26, 28 [F28 (a) or](b) or 32 of Schedule 1 to this Act [F29 or to proceedings before a Registered Homes Tribunal] is dissatisfied in point of law with a decision of the tribunal he may, according as rules of court may provide, either appeal therefrom to the High Court or require the tribunal to state and sign a case for the opinion of the High Court.
- [F30 (1A) Subsection (1) of this section 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 M2 Employment Protection (Consolidation) Act 1978.]
- (2) Rules of court made with respect to all or any of the said tribunals 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 within the meaning of section [F31 16 of M3 the Supreme Court Act 1981] (jurisdiction of Court of Appeal to hear and determine appeals from judgments of the High Court).
- (3) 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.
- (4) . . . F32 no appeal to the Court of Appeal shall be brought by virtue of this section except with the leave of the High Court or the Court of Appeal.
- (5) [F33 Subsection (1) of this section shall apply to a decision of the Secretary of State on an appeal from the traffic commissioners for any area or the traffic commissioner for the metropolitan traffic area 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, or if aggrieved would have 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 (3) of this section to a tribunal shall be construed, in relation to such an appeal, as references to the Secretary of State.]
- [F34 (5A) Subsection (1) of this section shall apply to a decision of the Secretary of State on an appeal under section 41 of the M4 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 (3) of this section to a tribunal shall be construed, in relation to such an appeal, as references to the Secretary of State.]

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- (6) 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 foregoing provisions of this section, . . . <sup>F35</sup>, [<sup>F36</sup>or on an appeal under section 41 of the <sup>M5</sup>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, that is to say—
    - (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 (2) for the words “in the form of a special case for the decision of the High Court” there shall be substituted the words “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;
    - (iii) subsection (4) shall be omitted;
  - (b) this section shall apply, subject to the modifications specified in the foregoing paragraph, to proceedings before any such tribunal as is specified in paragraphs 38, 39, 41(b), 42 or 45(a) or (b) of Schedule 1 to this Act as it applies to proceedings before the tribunals referred to in subsection (1) of this section;
  - <sup>F37</sup>(bb) subsection (1) of this section shall not apply in relation to proceedings before the Lands Tribunal for Scotland which arise under section 1(3A) of the Lands Tribunal Act <sup>M6</sup>1949 (jurisdiction of the Tribunal in valuation matters).]
  - (c) 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.
- (7) In relation to any proceedings in Northern Ireland of any of the tribunals referred to in subsection (1) of this section, [<sup>F38</sup>and in relation to a decision of the Secretary of State on an appeal under section 41 of the <sup>M7</sup>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, that is to say—
- (a) in subsection (2), for the words from the beginning to “provide” there shall be substituted the words “Rules may be made under [<sup>F39</sup>section 55 of the <sup>M8</sup>Judicature (Northern Ireland) Act 1978] providing”, and for the words “section 27 of the <sup>M9</sup>Supreme Court of Judicature (Consolidation) Act 1925” there shall be substituted the words [<sup>F39</sup>“section 35 of the <sup>M10</sup>Judicature (Northern Ireland) Act 1978”];
  - (b) in subsection (3), for the words “the power to make rules of court shall include power to make rules” there shall be substituted the words “rules may be made under [<sup>F39</sup>section 55 of the <sup>M11</sup>Judicature (Northern Ireland) Act 1978]”;
  - (c) in subsection (4), for the words from the beginning to “Divisional Court” there shall be substituted the words “Rules made under [<sup>F39</sup>section 55 of the <sup>M12</sup>Judicature (Northern Ireland) Act 1978], relating to such proceedings as aforesaid, 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”.
- (8) 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

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Islands of the tribunal specified in paragraph 32 of Schedule 1 to this Act, 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.

- (9) In this section “decision” includes any direction or order, and references to the giving of a decision shall be construed accordingly.
- (10) In relation to any such tribunals as are specified in paragraph 10 or 38 of Schedule 1 to this Act this section shall have effect subject to any enactment passed in the same Session as this Act with respect to appeals from such tribunals.

### Textual Amendments

- F23** “4” repealed (E.W.S.) by [Health and Social Services and Social Security Adjudications Act 1983](#) (c. 41, SIF 113:3), s. 29, **Sch. 10 Pt. I**
- F24** “6(a)” substituted (E.W.) for “6” by [Education Act 1980](#) (c. 20, SIF 41:1), s. 7(6) (subject to transitional savings in S.I. 1980/959, art. 4, **Sch. 3 para. 1**)
- F25** Words inserted by [Financial Services Act 1986](#) (c. 60, SIF 69), s. 96(6), **Sch. 6 para. 6(b)**
- F26** Words inserted (E.W.S.) by [Insolvency Act 1985](#) (c. 65, SIF 66), s. 8, **Sch. 1 para. 5(3)** (but s. 8 of the 1985 Act is repealed by [Insolvency Act 1986](#) (c.45, SIF 66), s. 438, **Sch. 12**)
- F27** Words repealed (E.W.S.) by [Health and Social Services and Social Security Adjudications Act 1983](#) (c. 41, SIF 113:3), s. 30, **Sch. 10 Pt. I**
- F28** Words repealed (E.W.S.) by [Housing Act 1980](#) (c. 51, SIF 61), s. 152, **Sch. 26**
- F29** Words inserted (E.W.S.) by [Health and Social Services and Social Security Adjudications Act 1983](#) (c. 41, SIF 113:3), s. 29, **Sch. 9 Pt. I para. 11**
- F30** S. 13(1A) inserted by [Employment Protection \(Consolidation\) Act 1978](#) (c. 44), **Sch. 16 para. 11**
- F31** Words substituted by [Supreme Court Act 1981](#) (c. 54, SIF 37), s. 152(1), **Sch. 5**
- F32** Words repealed by [Administration of Justice Act 1977](#) (c. 38), **Sch. 5 Pt. IV**
- F33** S. 13(5) repealed (E.W.S.) by [Transport Act 1980](#) (c. 34, SIF 107:1, 126), s. 69, **Sch. 9 Pt. I** (subject to savings in S.I. 1981/256, **arts. 7(2), 11(6)**)
- F34** S. 13(5A) inserted by [Consumer Credit Act 1974](#) (c. 39), s. 42(1)
- F35** Words repealed by [Transport Act 1980](#) (c. 34, SIF 107:1, 126), s. 69, **Sch. 9 Pt. I** (subject to savings in S.I. 1981/256, **arts. 7(2), 11(6)**)
- F36** Words inserted by [Consumer Credit Act 1974](#) (c. 39), s. 42(2)
- F37** Para. (bb) inserted (S.) by [Rating and Valuation \(Amendment\) \(Scotland\) Act 1984](#) (c. 31, SIF 103:2), s. 21, **Sch. 2 para. 12**
- F38** Words inserted by [Consumer Credit Act 1974](#) (c. 39), s. 42(3)
- F39** Words substituted by [Judicature \(Northern Ireland\) Act 1978](#) (c. 23), **Sch. 5 Pt. II**

### Modifications etc. (not altering text)

- C27** S. 13 extended by [S.I. 1972/1210](#), **art. 3** and 1974/1478, art. 3
- C28** Power to modify conferred (E.W.N.I.) by [Finance Act 1985](#) (c. 54, SIF 40:2), s. 26(2)(a)
- C29** S. 13(1) modified (E.W.S.) by [Road Traffic Regulation Act 1984](#) (c. 27, SIF 107:1), ss. 43, 143, **Sch. 4 para. 18(2)**
- C30** S. 13(1) restricted (E.W.) by [Housing Act 1980](#) (c. 51, SIF 61), s. 142, **Sch. 22 para. 2**
- C31** S. 13(1) excluded (E.W.S.) by [S.I. 1981/1794](#), **reg. 11(10)**
- C32** S. 13(1) applied (E.W.S.) by [S.I. 1978/1535](#), art. 11, Sch. para. 18(2), **1979/119**, art. 11, Sch. para. 18(2) and 1986/225, art. 11, Sch. para. 18(2)
- C33** S. 13(3) modified (E.W.S.) by [S.I. 1978/1535](#), art. 11, Sch. para. 18(2), **1979/119**, art. 11, Sch. para. 18(2) and 1986/225, art. 11, Sch. para. 18(2)
- C34** S. 14 extended by [Friendly Societies Act 1974](#) (c. 46), s. 76(1)

*Status: Point in time view as at 03/02/1992.*

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#### Marginal Citations

- M2** 1978 c. 44.  
**M3** 1981 c. 54)  
**M4** 1974 c. 39.  
**M5** 1974 c. 39.  
**M6** 1949 c.42 (127).  
**M7** 1974 c. 39.  
**M8** 1978 c. 23.  
**M9** 1925 c. 49.  
**M10** 1978 c. 23.  
**M11** 1978 c. 23.  
**M12** 1978 c. 23.

#### 14 Extension of supervisory powers of superior courts.

- (1) [<sup>F40</sup>As respects England and Wales . . . <sup>F41</sup>, 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 any provision in such an Act which by similar words excludes any of the powers of the High Court, 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:]

..... <sup>F41</sup>

- (2) As respects Scotland, 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 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) [<sup>F40</sup>Nothing in this section shall . . . <sup>F42</sup>apply to any order or determination of a court of law or where an Act makes special provision for application to the High Court or the Court of Session within a time limited by the Act.]

#### Textual Amendments

- F40** S. 14(1)(3) repealed (N.I.) by S.I. 1975/816 (N.I. 7), **Sch. 2**  
**F41** Words and s. 14(1) proviso repealed by virtue of S.I. 1975/816, **Sch. 2**  
**F42** Words repealed by **British Nationality Act 1981 (c. 61, SIF 87), s. 52(8), Sch. 9**

#### *Supplementary provisions*

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

- (1) The Lord Chancellor and [<sup>F43</sup>the Lord Advocate] may by order direct that Part I or Part II of Schedule 1 to this Act shall have effect as if there were specified therein any such tribunals, other than any of the ordinary courts of law, as may be provided by the order.



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- (2) The Lord Chancellor and [<sup>F43</sup>the Lord Advocate] may by order make provision, as respects any such tribunal as is for the time being specified in Schedule 1 to this Act, not being a tribunal mentioned in section 7 of this Act, for applying 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 [<sup>F43</sup>the Lord Advocate] may by order apply section 13 of this Act to any such tribunal as is for the time being specified in Schedule 1 to this Act.
- (4) Any order under the foregoing provisions of this section 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 [<sup>F43</sup>the Lord Advocate] may by order—
  - (a) repeal or amend section 8(3) of this Act or any of paragraphs 2, 3, 5, 8, 9, 10, 13, 14, 18(a), 23(a) and (d), 27, 28(b), 29(d), 34, 38, 39, 43(a), 44 and 45(b) of Schedule 1 to this Act;
  - (b) repeal the references in section 13 of this Act to any of paragraphs 2(b), 10, 18(a), 28(b), 38 and 45(b) of Schedule 1 to this Act.
- (6) Nothing in this section shall authorise the making of an order with respect to a tribunal having jurisdiction only over matters with respect to which the Parliament of Northern Ireland has power to make laws.

#### Textual Amendments

**F43** Words substituted by [S.I. 1972/2002](#), [art. 3\(3\)\(c\)](#)

#### Modifications etc. (not altering text)

**C35** Reference to matters with respect to which the Parliament of Northern Ireland has power to make laws to be construed as a reference to matters with respect to which that Parliament would have had power to make laws if the [Northern Ireland Constitution Act 1973 \(c. 36\)](#) had not been passed *ibid.*, s. 40(2)

## 16 Rules and orders.

- (1) Any power of the Lord Chancellor and [<sup>F44</sup>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.
- (2) Any power of those Ministers to make orders under any section of this Act includes power to vary or revoke any order under that section by a subsequent order but any such subsequent order under section 12(6) of this Act shall be made only after consultation with the Council.

#### Textual Amendments

**F44** Words substituted by [S.I. 1972/2002](#), [art. 3\(3\)\(c\)](#)

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## 17 Transitory provisions.

Schedule 2 to this Act shall have effect with respect to the matters there dealt with, being matters connected with the coming into force of the <sup>M13</sup>Tribunals and Inquiries Act 1958 and the <sup>M14</sup>Tribunals and Inquiries Act 1966.

### Marginal Citations

**M13** 1958 c. 66.

**M14** 1966 c. 43.

## 18 Consequential amendments, repeals and savings.

- (1) The enactments specified in Schedule 3 to this Act 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 to this Act 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) Any appointment, designation, determination, rule or order made, any approval or consent given and any other thing done under or for the purposes of any provision repealed or revoked by this Act shall, if in force immediately before the commencement of this Act, have effect as if made, given or done under or for the purposes of the corresponding enactment in this Act; and any proceedings or other thing begun under or by virtue of any provision so repealed or revoked may be continued under this Act as if begun thereunder.
- (4) So much of any document as refers expressly or by implication to any provision repealed or revoked by this Act shall, if and so far as the nature of the subject-matter of the document permits, be construed as referring to this Act or the corresponding enactment therein as the case may require.
- (5) Nothing in this section shall be taken to prejudice the general application of [<sup>F45</sup>sections 16(1) and 17(2)(a) of the <sup>M15</sup>Interpretation Act 1978] with regard to the effect of repeals.

### Textual Amendments

**F45** Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 25\(2\)](#)

### Modifications etc. (not altering text)

**C36** The text of s. 18(1) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**C37** The text of s. 18(2) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

### Marginal Citations

**M15** 1978 c. 30.

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

## 19 Interpretation.

- (1) In this Act, except where the context otherwise requires—
  - “the Council” means the Council on Tribunals;
  - “Minister” includes any Board presided over by a Minister;
  - “the 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) of this section;
  - “statutory provision” means a provision contained in, or having effect under, any enactment.
- (2) The Lord Chancellor and [<sup>F46</sup>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.
- (4) References in this Act to the working or a decision of, or procedural rules for, any such tribunals as are specified in paragraph 17, 22, 29(a), (b) or (c), 30, 35, 41 or 46 [<sup>F47</sup>or the Data Protection Registrar referred to in paragraph 5A], [<sup>F48</sup>or the Director General of Fair Trading referred to in paragraph [<sup>F49</sup>6A]] or the Controller of Plant Variety Rights referred to in paragraph 25(a), of Schedule 1 to this Act do not include references to their working, decisions or procedure in the exercise of executive functions.

### Textual Amendments

- F46** Words substituted by [S.I. 1972/2002, art. 3\(3\)\(c\)](#)
- F47** Words inserted by [Data Protection Act 1984 \(c. 35, SIF 106:1\), s. 3\(6\), Sch. 2 para. 13 \(b\)](#)
- F48** Words inserted by [Consumer Credit Act 1974 \(c. 39\), s. 3\(b\)](#)
- F49** Words substituted by [Estate Agents Act 1979 \(c. 38\), ss. 24\(1\)\(a\), 36\(2\)](#)

### Modifications etc. (not altering text)

- C38** By [S.I. 1984/1247, art. 4](#) it is provided that [s. 19\(4\)](#) shall have effect as if for the words “References in this Act to the working or a decision of, or procedural rules for,” there were substituted the words “References in this Act to the working or a decision of, or procedural rules for, the Foreign Compensation Commission or”

## 20 Short title, commencement and extent.

- (1) This Act may be cited as the Tribunals and Inquiries Act 1971.
- (2) This Act shall come into force at the expiration of the period of one month beginning with the day on which it is passed.
- (3) It is hereby declared that this Act extends to Northern Ireland.

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1

Sections 1, 4, 5, 7, 8, 10, 12, 13, 15 and  
19.

#### TRIBUNALS UNDER GENERAL SUPERVISION OF COUNCIL

##### Modifications etc. (not altering text)

- C39** By S.I. 1984/1094, **art. 2** it is provided that Sch. 1 to this Act shall have effect as if there were specified in Pt. II thereof the Dairy Produce Quota Tribunal for Scotland which is constituted under Regulation 6(1)(b) of the Dairy Produce Quotas Regulations 1984

### PART I **E+W**

#### TRIBUNALS UNDER DIRECT SUPERVISION OF COUNCIL

##### Extent Information

- E2** This version of this provision extends to England and Wales only; a separate version has been created for Scotland and Northern Ireland only

##### Modifications etc. (not altering text)

- C40** Pt. I amended by S.I. 1972/1210, **art. 2** which provides that Sch. 1 to this Act shall have effect as if there were specified therein in Pt. I, value added tax tribunals for England and Wales and for Northern Ireland
- C41** Pt. I amended by S.I. 1975/1937, **art. 2** which provides that Pt. I of Sch. 1 to this Act shall have effect as if there were specified therein the tribunals constituted by the Child Interim Benefit (Determination of Questions) Regulations 1975 and any person appointed under section 16(7)(b) of the Child Benefit Act 1975 to hear appeals from such tribunals (referred to in the said Regulations as “the Referee”)
- C42** By S.I. 1974/1964, **art. 3** it is provided that Pt. I of Sch. 1 to this Act shall have effect as if there were specified therein the Tribunal in England and Wales constituted under Part I of Sch. 3 to the Misuse of Drugs Act 1971
- C43** By S.I. 1984/1094, **art. 2** it is provided that Sch. 1 to this Act shall have effect as if there were specified in Pt. I thereof the Dairy Produce Quota Tribunal for England and Wales which is constituted under Regulation 6(1)(a) of the Dairy Produce Quotas Regulations 1984
- C44** Pt. I amended by S.I. 1974/1478, **art. 2** which provides that Pt. I of Sch. 1 to this Act shall have effect as if there were specified therein the referees established by the Industrial Training (Levy Exemption References) Regulations 1974
- C45** Pt. I amended by S.I. 1979/659, **art. 2** which provides that Pt. I of Sch. 1 to this Act shall have effect as if there were specified therein the tribunals constituted under section 4 of the Vaccine Damage Payments Act 1979
- C46** By Civil Aviation Act 1982 (c. 16, SIF 9), s. 7(3)(a) it is provided that the Tribunals and Inquiries Act 1971 shall have effect as if the CAA were a tribunal specified in Part I of Schedule 1 to that Act
- C47** By S.I. 1984/1247, **art. 2** it is provided that Pt. I of Sch. 1 to this Act shall have effect as if there were specified therein the Commission (called the Foreign Compensation Commission) which was constituted under section 1 of the Foreign Compensation Act 1950

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Sch. 1 Pt. I amended (1.1.1992) by S.I. 1991/2699, art. 2 which provides that Pt. I shall have effect as if certain committees appointed for the purposes of ss. 16, 17B and 25 of the [Forestry Act 1967 \(c. 10\)](#) and the tribunal constituted in accordance with s. 47 of the [Building Societies Act 1986 \(c. 53\)](#) were specified therein

| <b>Matters with which tribunal concerned</b>  |                      | <b>Tribunal and statutory authority</b>   |
|---|----------------------|---|
| Agriculture   | 1.                   | (a) The Agricultural Land Tribunals established under section 73 of the Agriculture Act 1947 (c. 48);<br><br>(b) arbitrators appointed (otherwise than by agreement) under <sup>F50</sup> Schedule 11 to the Agricultural Holdings Act 1986]. |
| <sup>F51</sup> Aircraft and shipbuilding industries]  | <sup>F51</sup> 1A.]  | <sup>F51</sup> The Aircraft and Shipbuilding Industries Arbitration Tribunal established under section 42 of the <sup>M16</sup> Aircraft and Shipbuilding Industries Act 1977.]   |
| ...   | 2.                   | ...   |
| <sup>F52</sup>  |                      | <sup>F52</sup>  |
| <sup>F53</sup> Banking]   | <sup>F53</sup> 2A.]  | <sup>F53</sup> An appeal tribunal constituted under section 28 of the Banking Act 1987 (c. 22).]  |
| Betting levy  | 3.                   | An appeal tribunal for England and Wales established under section 29 of the Betting, Gaming and Lotteries Act 1963 (c. 2).   |
| <sup>F54</sup> Registration of voluntary homes and children's homes under the Children Act 1989.] | <sup>F54</sup> 4.]   | <sup>F54</sup> Registered Homes Tribunals constituted under Part III of the Registered Homes Act 1984.]   |
| Commons   | 5.                   | The Commons Commissioners and assessors appointed under section 17(2) and (3) of the Commons Registration Act 1965 (c. 64).   |
| <sup>F55</sup> Conveyancing]  | <sup>F55</sup> 5AA.] | <sup>F55</sup> A Conveyancing Appeals Tribunal constituted under  |

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*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

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|   |   | section 41 of the Courts and Legal Services Act 1990.]  |
| [ <sup>F56</sup> Criminal injuries compensation.] | [ <sup>F56</sup> 5B.]                   | [ <sup>F56</sup> The Criminal Injuries Compensation Board constituted under Part VII of the Criminal Justice Act 1988.]   |
| ...<br>F57  | 5A                                      | ...<br>F57  |
| [ <sup>F58</sup> Copyright.]                      | [ <sup>F58</sup> 5A.]                   | [ <sup>F58</sup> The Copyright Tribunal.]   |
| [ <sup>F59</sup> Data protection.]                | [ <sup>F59</sup> [ <sup>F60</sup> 5B].] | [ <sup>F59</sup> (a) The Data Protection Registrar;]<br>[ <sup>F59</sup> (b) The Data Protection Tribunal.]   |
| Education   | 6 [ <sup>F61</sup> (a)]                 | Independent Schools Tribunals constituted under section 72 of, and Schedule 6 to, the Education Act 1944 (c. 31).<br>[ <sup>F62</sup> (b) appeal committees constituted in accordance with Part I of Schedule 2 to the Education Act 1980 (c. 20).]<br>[ <sup>F63</sup> (c) appeal committees constituted for the purposes of section 58(5)(d) of the Education Reform Act 1988.] |
| [ <sup>F64</sup> Fair Trading]                    | [ <sup>F64</sup> 6A.]                   | [ <sup>F64</sup> 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).]   |
| [ <sup>F65</sup> Financial services.]             | [ <sup>F65</sup> 6B.]                   | [ <sup>F65</sup> The Financial Services Tribunal established by section 96 of the Financial Services Act 1986.]   |
| [ <sup>F66</sup> Food.]                           | [ <sup>F66</sup> 6C.]                   | [ <sup>F66</sup> Tribunals constituted in accordance with regulations   |



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|   |                        | under Part II of the Food Safety Act 1990.]   |
| Forestry                                | 7.                     | Committees appointed for the purposes of section 20 or 21 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. |
| F67                                     | [ <sup>F67</sup> 7A.]  | F67   |
| ...                                     |                        | ...   |
| Immigration appeals                     | 8.                     | (a) The adjudicators established by section 1 of the Immigration Appeals Act 1969 (c. 21);<br><br>(b) the Immigration Appeal Tribunal established by section 1 of the Immigration Appeals Act 1969 (c. 21).                         |
| Indemnification of justices and clerks. | 9.                     | Any person appointed under section 27(3) of the Administration of Justice Act 1964 (c. 42).   |
| [ <sup>F68</sup> Industry]              | [ <sup>F68</sup> 9A.]  | [ <sup>F68</sup> An arbitration tribunal established under Schedule 3 to the <sup>M17</sup> Industry Act 1975.]   |
| Industry and employment                 | 10.                    | The industrial tribunals for England and Wales established under [ <sup>F69</sup> section 128 of the Employment Protection (Consolidation) Act 1978 (c. 44)].   |
|   | [ <sup>F70</sup> 10A.] | [ <sup>F70</sup> The Insolvency Practitioners Tribunal referred to in section 396 of the Insolvency Act 1986]   |
| ...                                     | 11                     | ...   |
| F71                                     |                        | F71   |
| Land                                    | 12.                    | The Lands Tribunal constituted under section 1(1) (b) of the Lands Tribunal Act 1949 (c. 42).   |

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| [ <sup>F72</sup> Local Taxation.]  | [ <sup>F72</sup> 12A.] | [ <sup>F72</sup> Valuation and community charge tribunals established by regulations under Schedule 11 to the Local Government Finance Act 1988.]  |
| London Building Acts               | 13.                    | The tribunal of appeal constituted in accordance with section 109 of the London Building Acts (Amendment) Act 1939 (c. xcvi).  |
| Mental Health                      | 14.                    | The Mental Health Review Tribunals [ <sup>F73</sup> constituted or having effect as if constituted under section 65 of the Mental Health Act 1983 (c. 20)].  |
| <sup>F74</sup><br>...              | [ <sup>F74</sup> 15.]  | <sup>F74</sup><br>...  |
| Mines and Quarries                 | 16.                    | Tribunals for the purposes of section 150 of the Mines and Quarries Act 1954 (c. 70).  |
| National Health Service            | 17.                    | [ <sup>F75</sup> (a) Family Practitioner Committees established in pursuance of [ <sup>F76</sup> section 10 of the <sup>M18</sup> National Health Service Act 1977] . . . <sup>F77</sup> ];<br>(b) the tribunal constituted under [ <sup>F76</sup> section 46 of the <sup>M19</sup> National Health Service Act 1977];<br>(c) service committees of [ <sup>F78</sup> a Family Practitioner Committee], being committees constituted in accordance with regulations made under the [ <sup>F76</sup> <sup>M20</sup> National Health Service Act 1977]. |
| ...                                | 18.                    | ...  |
| <sup>F79</sup><br>National Service | 19.                    | ( <sup>a</sup> ) The Military Service (Hardship) Committees constituted under Schedule 3   |

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|  |            | to the National Service Act 1948 (c. 64);  |
|  |            | b) the local tribunals constituted under Schedule 4 to the National Service Act 1948 (c. 64);  |
|  |            | (c) the appellate tribunal constituted under Schedule 4 to the National Service Act 1948 (c. 64);  |
|  |            | (d) the referees selected under the proviso to section 23(3) of the National Service Act 1948 (c. 64);   |
|  |            | (e) the Reinstatement Committees appointed under [F80] paragraph 1 of Schedule 2 to the Reserve Forces (Safeguard of Employment) Act 1985];  |
|  |            | (f) the umpire and any deputy umpire appointed under [F81] paragraph 5 of Schedule 2 to the Reserve Forces (Safeguard of Employment) Act 1985].  |
| ...  | 20.        | ...  |
| F82  |            | F82  |
| Nurses' training institutions                              | 21.        | Persons nominated under section 21(2) of the Nurses Act 1957 (c. 15).  |
| [F83]Nursing Homes and Mental Nursing Homes Registration.] | [F83]21A.] | [F83]Registered Homes Tribunals constituted under Part III of the Registered Homes Act 1984.]  |
| Patents, designs and trade marks.                          | 22.        | 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   | 23.        | (a) Pensions Appeal Tribunals for England and Wales established under  |

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Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

|                        |            |   |
|------------------------|------------|---|
| <p>...</p> <p>F87</p>  | <p>24.</p> | <p>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 England and Wales;</p> <p>(c) tribunals appointed under regulations under section 1 of the [<sup>F84M21</sup>Police Pensions Act 1976] to hear [<sup>F85</sup>such appeals as by virtue of the regulations lie to tribunals so appointed];</p> <p>(d) appeal tribunals constituted in accordance with a scheme in force under section 26 of the Fire Services Act 1947 (c. 41).</p> <p>[<sup>F86</sup>(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.]</p> |
| <p>Plant varieties</p> | <p>25.</p> | <p>(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);</p> <p>(b) the [<sup>F88</sup>Plant Varieties and Seeds Tribunal] established by section 10 of the Plant Varieties and Seeds Act 1964 (c. 14).</p>  |
| <p>...</p> <p>F89</p>  | <p>26.</p> | <p>...</p> <p>F89</p>   |
| <p>Rates</p>           | <p>27.</p> | <p>Local valuation courts constituted in accordance</p>   |

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

|  |            |   |
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| Rents                                      | 28.        | with section 88 of the General Rate Act 1967 (c. 9).<br>F90<br>(a) . . .<br>(b) Rent assessment committees constituted in accordance with [F91]Schedule 10 to the Rent Act 1977 (c. 42)].   |
| [F92]Residential Care Homes Registration.] | [F92]28A.] | [F92]Registered Homes Tribunals constituted under Part III of the Registered Homes Act 1984.]   |
| Revenue                                    | 29.        | (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;<br>(b) the Commissioners for the special purposes of the Income Tax Acts appointed under section 4 of the Taxes Management Act 1970 (c. 9);<br>(c) . . .<br>F93<br>(d)the tribunal constituted for the purposes of Chapter I of Part XVII of the Income and Corporation Taxes Act 1970 (c.10). |
| [F94]Road Traffic.]                        | [F94]30.]  | [F95(a)][F94] The traffic commissioner for any area constituted for the purposes of the Public Passenger Vehicles Act M221981 (c. 14).][F95]and (b) a parking adjudicator appointed under section 73(3)(a) of the Road Traffic Act 1991.]   |
| [F96]Social Security]                      | [F96]30A]  | [F96(a) [F97]Social security appeal]tribunals constituted under section 97 of the M23Social Security Act  |

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|                               |                        |  |
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|                               |                        | 1975 or constituted under regulations made under section 114 of that Act; (b) a Commissioner appointed under section 97 of that Act and any tribunal presided over by a Commissioner so appointed; (c) medical appeal tribunals constituted for the purposes of Part III of that Act.][<br>F98 |
|                               |                        | (d) disability appeal tribunals constituted under Schedule 10A to that Act.]   |
| F99                           | [ <sup>F99</sup> 30B.] | F99  |
| ...                           |                        | ...  |
| [ <sup>F100</sup> Transport.] | [ <sup>F100</sup> 31.] | [ <sup>F100</sup> The Transport Tribunal constituted as provided in Schedule 4 to the Transport Act 1985.]   |
| Wireless telegraphy           | 32.                    | The tribunal established under section 9 of the Wireless Telegraphy Act 1949 (c. 54).  |

### Textual Amendments

- F50** Words substituted by [Agricultural Holdings Act 1986 \(c. 5, SIF 2:3\)](#), ss. 99, 100, Sch. 13 para. 3, **Sch. 14 para. 49**
- F51** Para. 1A inserted by [Aircraft and Shipbuilding Industries Act 1977 \(c. 3\)](#), s. 42(10)
- F52** Para. 2 repealed by [Statute Law \(Repeals\) Act 1986 \(c. 12\)](#), s. 1(1), **Sch. 1 Pt. I**
- F53** Words inserted by [Banking Act 1987 \(c. 22, SIF 10\)](#), s. 108(1), **Sch. 6 para. 4(2)**
- F54** Sch. 1 Pt. I para. 4 substituted (E.W.) (14.10.1991) by [Children Act 1989 \(c. 41, SIF 20\)](#), s. 108(5), Sch. 13 para. 30, **Sch. 14 para. 1(1)**; S.I. 1991/828, **art. 3(2)**
- F55** Pt. I para. 5AA: the entry referring to “Conveyancing” inserted (*prosp.*) by [Courts and Legal Services Act 1990 \(c. 41, SIF 37\)](#), ss. 124(3), 125(3), **Sch. 18 para. 2** which provides that the entry shall be inserted after the entry relating to commons
- F56** Pt. I para. 5B: the entry referring to “Criminal injuries compensation” inserted (*prosp.*) after the entry the first column of which reads “Commons” by [Criminal Justice Act 1988 \(c. 33, SIF 39:1\)](#), ss. 123(6), 170(1), 171(1), Sch. 8 para. 16, **Sch. 15 para. 37(2)**
- F57** Pt. I para. 5A: the entry referring to Consumer Credit which was inserted by [Consumer Credit Act 1974 \(c. 39, SIF 60\)](#), s. 3(c) was repealed by [Estate Agents Act 1979 \(c. 38, SIF 124:4\)](#), ss. 24(1)(b), 36(2)
- F58** Pt. I para. 5A: the entry referring to “Copyright” inserted by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 303, **Sch. 7 para. 14**
- F59** Pt. I para. 5B: the entry referring to “Data protection” inserted by [Data Protection Act 1984 \(c. 35, SIF 106\)](#), s. 3(6), **Sch. 2 para. 13(c)**
- F60** Pt. I para. 5B: the entry referring to “Data protection” renumbered as “5B” by [Copyright, Designs and Patents Act 1988 \(c. 48, SIF 67A\)](#), s. 303, **Sch. 7 para. 14**
- F61** Pt. I para. 6: “(a)” inserted (E.W.) by [Education Act 1980 \(c. 20, SIF 41:1\)](#), s. 7(6)



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- F62** Para. 6(b) inserted (E.W.) by Education Act 1980 (c. 20, SIF 41:1), **s. 7(6)**
- F63** Para. 6(c) inserted (E.W.) by Education Reform Act 1988 (c. 40, SIF 41:1), ss. 231(7), 235(6), 237(1), **Sch. 12 para. 12**
- F64** Para. 6A inserted by Estate Agents Act 1979 (c. 38), **ss. 24(1)(b)**, 36(2)
- F65** Pt. I para. 6B: the entry referring to “Financial services” inserted by Financial Services Act 1986 (c. 60, SIF 69), s. 96(6), **Sch. 6 para. 6(c)**
- F66** Pt. I para. 6C: the entry referring to “Food” inserted (E.W.S.) by Food Safety Act 1990 (c. 16, SIF 53:1, 2), s. 59(1), **Sch. 3 para. 14(1)**
- F67** Pt. I para. 7A inserted by Health Services Act 1976 (c. 83, SIF 113:2), **Sch. 1 Pt. IV para. 23(1)(3)** and repealed (E.W.S.) by Health Services Act 1980 (c. 53, SIF 113:2), s. 25(4), **Sch. 7**
- F68** Para. 9A inserted by Industry Act 1975 (c. 68), **Sch. 3 Pt. I para. 10**
- F69** Pt. I para. 10: “section 128 of the Employment Protection (Consolidation) Act 1978 (c. 44)” substituted (E.W.S.) by Industrial Training Act 1982 (c. 10, SIF 43:1), s. 20, **Sch. 3 para. 2**
- F70** Para. 10A inserted (E.W.S.) by Insolvency Act 1985 (c. 65, SIF 66), s. 8, **Sch. 1 para. 5(4)** and substituted by Insolvency Act 1986 (c. 45, SIF 66), s. 439(2), **Sch. 14** (the said s. 8 and para. 5(4) being repealed by s. 438 and Sch. 12 of the 1986 Act)
- F71** Entry relating to Iron and Steel repealed by British Steel Act 1988 (c. 35, SIF 70), s. 16(3), **Sch. 2 Pt. I**
- F72** Para. 12A inserted (E.W.S.) by Local Government Act 1988 (c. 41, SIF 81:1), s. 142, **Sch. 12 para. 41**
- F73** Words commencing “constituted or having” substituted (E.W.) by Mental Health Act 1983 (c. 20, SIF 85), s. 148, **Sch. 4 para. 29**
- F74** Para. 15 repealed (E.W.S.) by Food Safety Act 1990 (c. 16, SIF 53:1, 2), ss. 54, 59(1)(4), Sch. 3 para. 14(1), **Sch. 5**
- F75** Para. 17(a) substituted by National Health Service Reorganisation Act 1973 (c. 32), **Sch. 4 para. 134**
- F76** Words substituted by National Health Service Act 1977 (c. 49), **Sch. 15 para. 53**
- F77** At the end of para. 17(a) certain words were added by Health Services Act 1980 (c. 53, SIF 113:2), ss. 1, 2, **Sch. 1 para. 87** and by Health and Social Security Act 1984 (c. 48, SIF 113:1), s. 24, **Sch. 8 Pt. I** these words were repealed
- F78** Words substituted by National Health Service Reorganisation Act 1973 (c. 32), **Sch. 4 para. 134**
- F79** Sch. 1 para. 18 repealed by Social Security (Miscellaneous Provisions) Act 1977 (c. 5), **Sch. 2**
- F80** Words substituted by Reserve Forces (Safeguard of Employment) Act 1985 (c. 17, SIF 7:2), s. 21, **Sch. 4 para. 3(a)**
- F81** Words substituted by Reserve Forces (Safeguard of Employment) Act 1985 (c. 17, SIF 7:2), s. 21, **Sch. 4 para. 3(b)**
- F82** Sch. 1 para. 20 repealed by Supplementary Benefits Act 1976 (c. 71), **Sch. 7 para. 22(b)**
- F83** Para. 21A inserted and substituted (E.W.) by virtue of Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 29, **Sch. 9 Pt. I para. 13** and Registered Homes Act 1984 (c. 23, SIF 113:3), s. 57, **Sch. 1 para. 5(b)**, Sch. 3
- F84** Words substituted by Police Pensions Act 1976 (c. 35), **Sch. 2 para. 9**
- F85** Words substituted by Superannuation Act 1972 (c. 11), **Sch. 6 para. 91(a)**
- F86** Para. 23: sub-para. (e) added at the end of second column in para. 23 of Sch. 1 by Social Security Act 1990 (c. 27, SIF 113:1), **s. 12(2)(a)**
- F87** Para. 24 repealed by Copyright, Designs and Patents Act 1988 (c. 48, SIF 67A), s. 303(2), **Sch. 8**
- F88** Words substituted by European Communities Act 1972 (c. 68), **Sch. 4 para. 5(6)**
- F89** Para. 26: Entry relating to the tribunal constituted under section 6 of the Prevention of Fraud (Investments) Act 1958 repealed by Financial Services Act 1986 (c. 60, SIF 69), s. 212(3), **Sch. 17 Pt. I**
- F90** Para. 28(a) repealed (E.W.S.) by Housing Act 1980 (c. 51, SIF 61), s. 152, **Sch. 26**
- F91** Words substituted by virtue of Interpretation Act 1978 (c. 30), **s. 17(2)(a)**
- F92** Para. 28A inserted and substituted (E.W.) by virtue of Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 29, **Sch. 9 Pt. I para. 14** and Registered Homes Act 1984 (c. 23, SIF 113:3), s. 57, **Sch. 1 para. 5(c)**, Sch. 3
- F93** Para. 29(c) repealed by Finance Act 1982 (c. 39, SIF 63:1), s. 157, **Sch. 22 Pt. X**

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- F94** Para. 30 referring to the Public Passenger Vehicles Act 1981 substituted (E.W.S.) for para. 30 referring to Road Traffic Act 1960 and Transport Act 1968 by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3, **Sch. 2 Pt. II para. 2(2)**
- F95** Words in Sch. 1 Pt. I para. 30 inserted (1.10.1991) by Road Traffic Act 1991 (c. 40), s. 81, **Sch. 7 para. 1** (with s. 79(1)); S.I. 1991/2054, art. 3, **Sch.**
- F96** Para. 30A inserted by Social Security (Consequential Provisions) Act 1975 (c. 18), **Sch. 2 Pt. I para. 46**
- F97** Words “Social security appeal” substituted (E.W.S.) by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 29, **Sch. 9 Pt. I para. 15**
- F98** Sch. 1 Pt. I para. 30A(d) added (3.2.1992) by Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21), s. 4, **Sch. 2 para. 2(2)**; S.I. 1991/2617, **art. 2(c)(d)**
- F99** Para. 30B (as inserted by Supplementary Benefits Act Act 1976 (c. 71), **Sch. 7 para. 22(b)**) repealed (E.W.S.) by Health and Social Services and Social Security Adjudications Act 1983 (c. 41, SIF 113:3), s. 30, **Sch. 10 Pt. I**
- F100** Para. 31 referring to the Transport Act 1985 substituted (E.W.S.) by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 139(2), **Sch. 7 para. 15**

#### Modifications etc. (not altering text)

- C48** Para. 22 extended by [Patents, Designs and Marks Act 1986 \(c. 39, SIF 67A\)](#), ss. 2, 4(7), **Sch. 2 para. 1(2)(d)**

#### Marginal Citations

- M16** 1977 c. 3.  
**M17** 1975 c. 68.  
**M18** 1977 c. 49.  
**M19** 1977 c. 49.  
**M20** 1977 c. 49.  
**M21** 1976 c. 35.  
**M22** 1981 c. 14 (107:1).  
**M23** 1975 c. 14

## PART II

### TRIBUNALS UNDER SUPERVISION OF SCOTTISH COMMITTEE

#### Modifications etc. (not altering text)

- C49** Pt. II amended by [S.I.1972/1210, art. 2](#) which provides that Sch. 1 to this Act shall have effect as if there were specified therein in Pt. II, value added tax tribunals for Scotland
- C50** Pt. II amended by [S.I. 1975/1404, art. 3](#) which provides that Pt. II of Sch. 1 to this Act shall have effect as if there were specified therein valuation appeal committees, constituted in accordance with section 4 of the Local Government (Scotland) Act 1975
- C51** By [S.I. 1974/1964, art. 3](#) it is provided that Pt. II of Sch. 1 to this Act shall have effect as if there were specified therein the Tribunal in Scotland constituted under Part I of Sch. 3 to the Misuse of Drugs Act 1971
- C52** By [S.I. 1984/1094, art. 2](#) it is provided that Sch. 1 to this Act shall have effect as if there were specified in Pt. II thereof the Dairy Produce Quota Tribunal for Scotland which is constituted under Regulation 6(1)(b) of the Dairy Produce Quotas Regulations 1984
- C53** Sch. 1, Pt II: By [S.I. 1991/2699, art.3](#) it is provided that Pt. II of Sch. 1 to the Act shall have effect (1.1.1992) as if there were specified therein-

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(a) the committees appointed for the purposes of ss. 16, 17B and 25 of the [Forestry Act 1967 \(c. 10\)](#), being committees the members of which are appointed by the Minister having functions under those section as respects Scotland; and

(b) 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](#), amended by [S.I. 1987/385](#)).

| <b>Matters with which tribunal concerned</b> |                         | <b>Tribunal and statutory authority</b>   |
|--|-------------------------|---|
| Agriculture                                  | 33.                     | Arbiters appointed (otherwise than by agreement) under section 77 of, or Schedule 6 to, the Agricultural Holdings (Scotland) Act 1949 (c. 75)   |
| Betting levy                                 | 34.                     | An appeal tribunal for Scotland established under section 29 of the Betting, Gaming and Lotteries Act 1963 (c. 2).  |
| Crofters                                     | 35.                     | The Crofters Commission constituted under section 1 of the Crofters (Scotland) Act 1955 (c. 21)   |
| Education                                    | 36.                     | <p>[<sup>F101</sup>(a)]Independent Schools Tribunals constituted under section 113 of, and Schedule 7 to, the Education (Scotland) Act 1962 (c. 47).</p> <p>[<sup>F102</sup>(b) appeal committees set up under section 28D of the Education (Scotland) Act 1980 (c. 44).]</p> <p>[<sup>F103</sup>(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.]</p> |
| [ <sup>F104</sup> Food]                      | [ <sup>F104</sup> 36A.] | [ <sup>F104</sup> Tribunals constituted in accordance with regulations under Part II of the Food Safety Act 1990 being tribunals appointed for Scotland.]   |
| Forestry                                     | 37.                     | Committees appointed for the purposes of section 20 or  |

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|                               |            |      |   |
|-------------------------------|------------|------|---|
|                               |            |      | 21 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.  |
| ...                           | 37A.       | ...  |   |
| F105                          |            | F105 |   |
| Industry and employment       | 38.        |      | The industrial tribunals for Scotland established under [F106]section 12 of the Industrial Training Act 1964 (c. 16)[[F106]section 128 of the Employment Protection (Consolidation) Act 1978 (c. 44)].  |
| Land                          | 39.        |      | The Lands Tribunal for Scotland constituted under section 1(1)(a) of the Lands Tribunal Act 1949 (c. 42).   |
| [F107]Milk and dairies]       | [F107]40.] |      | [F107]Tribunals constituted under orders made under, or having effect as if made under, section 11 of the Milk (Special Designations) Act 1949 (c. 34).]  |
| National Health Service       | 41.        |      | [F108](a) Health Boards and joint committees of those Boards constituted under section [F109]2 of the M24National Health Service (Scotland) Act 1978];<br><br>(b) the tribunal constituted under [F110]section 29 of the M25National Health Service (Scotland) Act 1978];<br><br>(c) service committees of [F111]a Health Board or a joint committee of Health Boards], being committees constituted in accordance with regulations made under the National Health Service (Scotland) [F112M26]Act 1978]. |
| Nurses' training institutions | 42.        |      | Persons nominated under section 24(2) of the Nurses (Scotland) Act 1951 (c. 55).  |

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

|                 |     |   |
|-----------------|-----|---|
| Pensions        | 43. | (a) Pensions Appeal Tribunals for Scotland established under section 8 of the War Pensions (Administrative Provisions) Act 1919 (c. 53);<br><br>(b) Pensions Appeal Tribunals constituted under the Pensions Appeal Tribunals Act 1943 (c. 39), being tribunals appointed for Scotland.<br><br>[ <sup>F113</sup> (c) Tribunals appointed under regulations under section 1 of the [ <sup>F114M27</sup> Police Pensions Act 1976] 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 74(10) of the Police Pensions Regulations 1971, or in the corresponding regulation of any regulations amending or having effect in place of those regulations.] |
| ...             | 44. | ...   |
| <sup>F115</sup> |     | <sup>F115</sup>   |
| Rents           | 45. | (a) Rent tribunals constituted in accordance with section 84 of the Rent (Scotland) Act 1971 (c. 28);<br><br>(b) Rent assessment committees constituted in accordance with Schedule 5 to the Rent (Scotland) Act 1971 (c. 28).  |
| Revenue         | 46. | 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     | 47. | (a) Any children's hearing constituted and arranged in  |

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|                                |                        |  |
|--------------------------------|------------------------|--|
|                                |                        | pursuance of the Social Work (Scotland) Act 1968 (c. 49);  |
|                                |                        | (b) any appeal tribunal established under Schedule 5 to the Social Work (Scotland) Act 1968 (c. 49).   |
| [ <sup>F116</sup> Taxi fares—] | [ <sup>F116</sup> 48.] | [ <sup>F116</sup> The traffic [ <sup>F117</sup> commissioner]for the Scottish Traffic Area as constituted for the purpose of the Public Passenger Vehicles Act 1981 in respect of [ <sup>F117</sup> his]functions under section 18 of the Civic Government (Scotland) Act 1982.] |

#### Textual Amendments

- F101** Word inserted (S.) by [Education \(Scotland\) Act 1980 \(c. 44, SIF 41:2\)](#), **s. 28E(7)** (as inserted by [Education \(Scotland\) Act 1981 \(c. 58, SIF 41:2\)](#), **s. 1(1)**)
- F102** [Para. 36\(b\)](#) inserted (S.) by [Education \(Scotland\) Act 1980 \(c. 44, SIF 41:2\)](#), **s. 28E(7)** (as inserted by [Education \(Scotland\) Act 1981 \(c. 58, SIF 41:2\)](#), **s. 1(1)**)
- F103** [Para. 36\(c\)](#) added (S.) by [Self-Governing Schools etc. \(Scotland\) Act 1989 \(c. 39, SIF 41:2\)](#), s. 82(1), **Sch. 10 para. 4**
- F104** [Para. 36A](#) inserted (E.W.S.) after [para. 36](#) by [Food Safety Act 1990 \(c. 16, SIF 53:1, 2\)](#), ss. 54, 59(1), **Sch. 3 para. 14(2)**
- F105** [Para. 37A](#) was inserted by [Health Services Act 1976 \(c. 83\)](#), **Sch. 1 Pt. IV para. 23(1)(4)** and repealed by [Health Services Act 1980 \(c. 53, SIF 113:2\)](#), s. 25(4), **Sch. 7**
- F106** Words commencing “section 128” substituted (E.W.S.) for words commencing “section 12” by [Industrial Training Act 1982 \(c. 10, SIF 43:1\)](#), s. 20, **Sch. 3 para. 2**
- F107** [Para. 40](#) repealed (E.W.S.) by [Food Safety Act 1990 \(c. 16, SIF 53:1,2\)](#), ss. 54, 59(1)(4), [Sch. 3 para. 14\(2\)](#), **Sch. 5**.
- F108** [Para. 41\(a\)](#) substituted by [National Health Service \(Scotland\) Act 1972 \(c. 58\)](#), **Sch. 6 para. 152(a)**
- F109** Words substituted by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), **Sch. 16 para. 35(a)**
- F110** Words substituted by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), **Sch. 16 para. 35(b)**
- F111** Words substituted by [National Health Service \(Scotland\) Act 1972 \(c. 58\)](#), **Sch. 6 para. 152(b)**
- F112** Words substituted by [National Health Service \(Scotland\) Act 1978 \(c. 29\)](#), **Sch. 16 para. 35(c)**
- F113** [Para. 43\(c\)](#) inserted by [Superannuation Act 1972 \(c. 11\)](#), **Sch. 6 para. 91(b)**
- F114** Words substituted by [Police Pensions Act 1976 \(c. 35\)](#), **Sch. 2 para. 9**
- F115** [Sch. 1 para. 44](#) repealed by [S.I. 1975/1404](#), **art. 4**
- F116** [Para. 48](#) inserted (S.) by [Civic Government \(Scotland\) Act 1982 \(c. 45, SIF 81:2\)](#), **s. 18(11)**
- F117** Word substituted by [Transport Act 1985 \(c. 67, SIF 126\)](#), s. 3, **Sch. 2 Pt. II para. 2(3)**

#### Modifications etc. (not altering text)

- C54** The reference to rent tribunals is to have effect (S.) as mentioned in [Rent \(Scotland\) Act 1984 \(c. 58, SIF 75:4\)](#), **s. 115(2)**

#### Marginal Citations

- M24** 1978 c. 29.

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

**M25** 1978 c. 29  
**M26** 1978 c. 29.  
**M27** 1976 c. 35.

## SCHEDULE 2

Section 17.

### TRANSITORY PROVISIONS

*Application of section 7 of this Act in relation to persons appointed before 1st January 1959*

- 1 (1) Any person appointed by the appropriate authority before 1st January 1959 to be chairman of any tribunal to which section 7(1) of this Act applies 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 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.
- (3) Any power to terminate any such appointment as is mentioned in the foregoing provisions of this paragraph shall be exercisable by, and only by, the Lord Chancellor.
- (4) Subsections (5), (7) and (8) of section 7 of this Act shall have effect in relation to this paragraph as they have effect in relation to that section.

*Rules made under section 7A of Tribunals and Inquiries Act 1958 before 13th December 1966*

- 2 Any rules in force in Scotland by virtue of section 7A of the <sup>M28</sup>Tribunals and Inquiries Act 1958 immediately before 13th December 1966 shall, if in force at the commencement of this Act, continue in force as if made under section 11 of this Act.

#### Marginal Citations

**M28** 1958 c. 66.

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

## SCHEDULE 3

Section 18(1).

### CONSEQUENTIAL AMENDMENTS

#### Modifications etc. (not altering text)

**C55** The text of Sch. 3 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and except as specified does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

#### *The Lands Tribunal Act 1949 (12 7 13 Geo. 6. c. 42)*

For section 3(12)(a) of the Lands Tribunal Act 1949 (substituted by section 50 of the Conveyancing and Feudal Reform (Scotland) Act 1970) there shall be substituted—

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

... *F118*

#### Textual Amendments

**F118** *Sch. 3*: entries relating to the Town and Country Planning (Scotland) Act 1959 and the Town and Country Planning (Scotland) Act 1969 repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), s. 277(2), [Sch. 23](#)

#### *The Land Compensation Act 1961 (9 & 10 Eliz. 2. c. 33)*

In section 21(1) of the Land Compensation Act 1961 for the words “the Tribunals and Inquiries Act 1958” there shall be substituted the words “the Tribunals and Inquiries Act 1971 (or any enactment replaced thereby)”.

... *F119*

#### Textual Amendments

**F119** *Sch. 3*: entries relating to the Town and Country Planning Act 1962 and the Town and Country Planning Act 1968 repealed by [Town and Country Planning Act 1971 \(c. 78\)](#), s. 292(2), [Sch. 25](#)

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

In section 10(2) of the Plant Varieties and Seeds Act 1964 for the words “section 9 of the Tribunals and Inquiries Act 1958” there shall be substituted the words “section 13 of the Tribunals and Inquiries Act 1971”.



*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

... F120

**Textual Amendments**

**F120** Sch. 3: entry relating to the National Insurance Act 1965 repealed by [Social Security Act 1973 \(c. 38\)](#), s. 100(2)(b), Sch. 28 Pt. I

**Modifications etc. (not altering text)**

**C56** Sch. 3: entry relating to the National Insurance Act 1965: power to continue conferred on the Secretary of State (1.7.1992) by [Social Security \(Consequential Provisions\) Act 1992 \(c. 6\)](#), ss. 5, 7(2), **Sch. 3 para. 15**.

*The National Insurance (Industrial Injuries) Act 1965 (1965 c. 52)*

In section 55 of the National Insurance (Industrial Injuries) Act 1965 for the words “the Tribunals and Inquiries Act 1958” there shall be substituted the words “the Tribunals and Inquiries Act 1971”

... F121

**Textual Amendments**

**F121** Sch. 3: entry relating to the Rent Act 1968 repealed by [Rent Act 1977 \(c. 42\)](#), s. 155(5), **Sch. 25**

... F122

**Textual Amendments**

**F122** Sch. 3: entries relating to the Town and Country Planning Act 1962 and the Town and Country Planning Act 1968 repealed by [Town and Country Planning Act 1971 \(c. 78\)](#), s. 292(2), **Sch. 25**

... F123

**Textual Amendments**

**F123** Sch. 3: entries relating to the Town and Country Planning (Scotland) Act 1959 and the Town and Country Planning (Scotland) Act 1969 repealed by [Town and Country Planning \(Scotland\) Act 1972 \(c. 52\)](#), s. 277(2), **Sch. 23**

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

### *[<sup>F124</sup>The Transport (London) Act 1969]*

#### Textual Amendments

**F124** Sch. 3: the entry relating to the Transport (London) Act 1969 repealed (E.W.S.) by Road Traffic Regulation Act 1984 (c. 27, SIF 107:1), ss. 143, 146, **Sch. 14**

*[<sup>F124</sup>In paragraph 18(2) of Schedule 5 to the Transport (London) Act 1969 for the words “Subsection (1) of section 9 of the Tribunals and Inquiries Act 1958” there shall be substituted the words “Subsection (1) of the section 13 of the Tribunals and Inquiries Act 1971”.]*

### *The Roads (Scotland) Act 1970 (c.20)*

In section 43 of the Roads (Scotland) Act 1970 for the words “the Tribunals and Inquiries Act 1958” there shall be substituted the words “the Tribunals and Inquiries Act 1971”.

## SCHEDULE 4

### REPEALS AND REVOCATIONS

#### Modifications etc. (not altering text)

**C57** The text of Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Section 18(2).

| PART I<br>ENACTMENTS REPEALED |   |   |
|-------------------------------|---|---|
| Chapter                       | Short Title   | Extent of Repeal  |
| 6 & 7 Eliz. 2. c. 66.         | The Tribunals and Inquiries Act 1958.               | The whole Act except sections 1(8) and 17.  |
| 7 & 8 Eliz. 2. c. 53.         | The Towns and Country Planning Act 1959.            | Section 33.   |
| 7 & 8 Eliz. 2. c. 70.         | The Towns and Country Planning (Scotland) Act 1959. | Section 33.   |
| 10 & 11 Eliz. 2. c. 30.       | The Northern Ireland Act 1962.                      | In Part I of Schedule 1 the entry relating to the Tribunals and Inquiries Act 1958. |
| 10 & 11 Eliz. 2. c. 46.       | The Transport Act 1962.                             | Section 88.   |
| 1964 c. 14.                   | The Plant Varieties and Seeds Act 1964.             | Section 12.   |
| 1966 c. 6.                    | The National Insurance Act 1966.                    | Section 13(3).  |
| 1966 c. 20.                   | The Ministry of Social Security Act 1966.           | In Schedule 6 paragraph 16.   |

*Status: Point in time view as at 03/02/1992.*

*Changes to legislation: There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992). (See end of Document for details)*

Sch. 4

| Chapter     | Short Title                              | Extent of Repeal  |
|-------------|--|---|
| 1966 c. 43. | The Tribunals and Inquiries Act 1966.    | The whole Act.  |
| 1967 c. 13. | The Parliamentary Commissioner Act 1967. | Section 1(5).   |
| 1967 c. 17. | The Iron and Steel Act 1967.             | Section 32(3).  |
| 1968 c. 23. | The Rent Act 1968.                       | In Schedule 15 the entry relating to the Tribunals and Inquiries Act 1958.            |
| 1968 c. 49. | The Social Work (Scotland) Act 1968.     | Section 89.   |
| 1968 c. 73. | The Transport Act 1968.                  | In Part I of Schedule 10 the entry relating to the Tribunals and Inquiries Act 1958.  |
| 1971 c. 28. | The Rent (Scotland) Act 1971.            | In Part II of Schedule 18 the entry relating to the Tribunals and Inquiries Act 1958. |

**PART II  
 ORDERS REVOKED**

| Number     | Title   |
|------------|---|
| 1959/1267. | The Tribunals and Inquiries (National Insurance Adjudicator) Order 1959.  |
| 1960/810.  | The Tribunals and Inquiries (Mental Health Review Tribunals) Order 1960.  |
| 1960/1335. | The Tribunals and Inquiries (Air Transport Licensing Board) Order 1960.   |
| 1960/1668. | The Tribunals and Inquiries (Finance Act Tribunal) Order 1960.  |
| 1962/1697. | The Tribunals and Inquiries (Betting Levy Appeal Tribunals) Order 1962.   |
| 1964/445.  | The Tribunals and Inquiries (Compensation Appeal Tribunals) Order 1964.   |
| 1964/1726. | The Tribunals and Inquiries (Indemnification of Justices and Clerks) Order 1964.                                    |
| 1965/276.  | The Tribunals and Inquiries (Miscellaneous Tribunals) Order 1965.   |
| 1965/1403. | The Tribunals and Inquiries (Industrial Tribunals) Order 1965.  |
| 1965/2151. | The Tribunals and Inquiries (Rent Assessment Committees) Order 1965.  |
| 1965/2190. | The Tribunals and Inquiries (Local Valuation Courts and Valuation Appeal Committees) Order 1965.                    |
| 1970/1219. | The Tribunals and Inquiries (Immigration Appeals) Order 1970.   |
| 1970/1458. | The Tribunals and Inquiries (Lands Tribunal for Scotland) Order 1970.   |
| 1970/1774. | The Tribunals and Inquiries (Commons Commissioners) Order 1970.   |
| 1971/831.  | The Tribunals and Inquiries (Firemen's Pension Scheme Appeal Tribunals and Air Operators' Certificates) Order 1971. |

**Status:**

Point in time view as at 03/02/1992.

**Changes to legislation:**

There are currently no known outstanding effects for the Tribunals and Inquiries Act 1971 (repealed 1.10.1992).