



# Tribunals and Inquiries Act 1992

## 1992 CHAPTER 53

An Act to consolidate the Tribunals and Inquiries Act 1971 and certain other enactments relating to tribunals and inquiries. [16th July 1992]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

### Modifications etc. (not altering text)

- C1** Act restricted (S.) (27.5.1997) by 1997 c. 8, **ss. 10(8)**, 278(2) (with s. 20)
- C2** Act applied (with modifications) (S.) (27.5.1997) by 1997 c. 8, **ss. 15(6)**, 278(2) (with s. 20)  
Act applied (with modifications) (S.) (27.5.1997) by 1997 c. 8, **ss. 50(3)**, 278(2), **Sch. 5 para. 7(4)** (with **ss. 64**, 219)  
Act applied (with modifications) (S.) (27.5.1997) by 1997 c. 9, **ss. 20(4)**, 35(5), 83(2), **Sch. 3 para. 7(1)** (with s. 45(4))  
Act applied (with modifications) (S.) (27.5.1997) by 1997 c. 10, **ss. 19(10)**, 40(2), **Sch. para. 7(1)** (with **ss. 9(3)**, 10(5), 39(6))  
Act: functions of the Lord Advocate transferred to the Secretary of State, and all property, rights and liabilities to which the Lord Advocate is entitled or subject in connection with any such function transferred to the Secretary of State for Scotland (19.5.1999) by S.I. 1999/678, arts. 2, 3, **Sch.** (with art. 7)
- C3** Act extended (with modifications) (S.) (27.5.1997) by 1997 c. 8, **ss. 48(9)**, 131(4), 154(5), 169(10), 180(7), 278(2), **Sch. 4 para. 8(1)** (with **ss. 64**, 219)
- C4** Act modified (S.) (27.5.1997) by 1997 c. 8, **ss. 69(4)**, 278(2), **Sch. 6 para. 5(4)** (with **ss. 64**, 219)  
Act modified (E.W.S.) (27.5.1997) by 1997 c. 8, **ss. 70(4)**, 278(2), **Sch. 7 para. 8(4)** (with **ss. 64**, 219)
- C5** Act applied (with modifications) (26.8.2005) by The River Tyne (Tunnels) Order 2005 (S.I. 2005/2222), art. 42, **Sch. 14 para. 14(4)** (with arts. 45(1), 48, Sch. 10 para. 21, 29)
- C6** Act applied (with modifications) (10.4.2006) by The Railways and Other Guided Transport Systems (Safety) Regulations 2006 (S.I. 2006/599), **regs. 1(a)**, 27(4)
- C7** Act restricted (1.4.2010) by Local Democracy, Economic Development and Construction Act 2009 (c. 20), **ss. 76(8)(b)**, 148(5); S.I. 2009/3318, **art. 4(u)**

*Status: Point in time view as at 19/10/2006.*

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### Commencement Information

**II** Act wholly in force at 1.10.1992. see s. 19(2)

## *The Council on Tribunals and their functions*

### 1 The Council on Tribunals.

- (1) There shall continue to be a council entitled the Council on Tribunals (in this Act referred to as “the Council”)—
- (a) to keep under review the constitution and working of the tribunals specified in Schedule 1 (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, or any such tribunal; and
  - (c) to consider and report on such matters as may be referred to the Council under this Act, 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 authorises or requires the Council to deal with any matter with respect to which the Parliament of Northern Ireland had power to make laws.

### Modifications etc. (not altering text)

- C8** S. 1(1)(c) extended (S.) (27.5.1997) by 1997 c. 8, ss. 10(8), 278(2) (with s. 20)
- C9** S. 1(1)(c) modified (6.8.2004 for specified purposes and 28.9.2004 otherwise for E.) by Planning and Compulsory Purchase Act 2004; (c. 5), {ss. 8(7)}, 121 (with ss. 111, 119, Sch. 8); S.I. 2004/2097, art. 2; S.I. 2004/2202, art. 2(a) (with art. 4)

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

- (1) Subject to subsection (3), the Council shall consist of not more than fifteen nor less than ten members appointed by the Lord Chancellor and the [<sup>F1</sup>Scottish Ministers], and one of the members shall be so appointed to be chairman of the Council.
- (2) There shall be a Scottish Committee of the Council (in this Act referred to as “the Scottish Committee”) which, subject to subsection (3), shall consist of—
- (a) either two or three members of the Council designated by the [<sup>F1</sup>Scottish Ministers], and
  - (b) either three or four persons, not being members of the Council, appointed by the [<sup>F1</sup>Scottish Ministers];
- and the [<sup>F1</sup>Scottish Ministers] 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 under subsection (1) or (2), the Parliamentary Commissioner for Administration [<sup>F2</sup>] and the Scottish Public Services

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Ombudsman shall by virtue of their offices be members] 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 in s. 2(1)(2) substituted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 9 Pt. II para. 2(2)**; S.I. 1998/3178, **art. 3**
- F2** Words in s. 2(3) substituted (14.7.2004) by **The Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004 (S.I. 2004/1823), art. 14**

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

- C10** S. 2(3) extended (1.7.1999) by S.I. 1999/1351, **arts. 1, 17(4)**; S.I. 1998/3178, **art. 3**

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

- (1) Persons appointed under section 2 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 as may be determined by the Treasury, and
  - to the other members of the Council and of the Scottish Committee such fees (if any) as may be so determined.
- (3) The salaries and fees payable under subsection (2), 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 money 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 the [<sup>F3</sup>Scottish Ministers].
- (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 the [<sup>F3</sup>Scottish Ministers]; and the report of the Council on a reference so made shall be made to the Minister [<sup>F4</sup>or Ministers] making the reference.
- (3) The Council shall not make a report on any such tribunal as is specified in Part II of Schedule 1 or on any matter referred to the Council by the [<sup>F3</sup>Scottish Ministers] 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), then—
- (a) if the matter relates only to England and Wales, subsection (2) 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) shall apply as if the matter had been referred to them by the <sup>F3</sup>Scottish Ministers].
- (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 or with respect to any matter falling within section 1(1)(c) and relating only to Scotland.
- (6) If the Council—
- (a) 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
  - (b) 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 the <sup>F3</sup>Scottish Ministers].
- (7) The Council shall make an annual report to the Lord Chancellor and the <sup>F3</sup>Scottish Ministers] on their proceedings and those of the Scottish Committee, and <sup>F5</sup>(a) the Lord Chancellor] shall lay the report before Parliament <sup>F6</sup>, and (b) the Scottish Ministers shall lay the report before the Scottish Parliament,] with such comments (if any) as <sup>F7</sup>he or] they think fit.

#### Textual Amendments

- F3** Words in s. 4(1)-(4)(6)(7) substituted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 9 Pt. II para. 2(2)**; S.I. 1998/3178, **art. 3**
- F4** Words in s. 4(2) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 9 Pt. II para. 2(3)(a)**; S.I. 1998/3178, **art. 3**
- F5** Words in s. 4(7) substituted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 9 Pt. II para. 2(3)(b)(i)**; S.I. 1998/3178, **art. 3**
- F6** Words in s. 4(7) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 9 Pt. II para. 2(3)(b)(ii)**; S.I. 1998/3178, **art. 3**
- F7** Words in s. 4(7) inserted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, **Sch. 9 Pt. II para. 2(3)(b)(iii)**; S.I. 1998/3178, **art. 3**

### *Composition and procedure of tribunals and inquiries*

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

- (1) Subject to section 6 but without prejudice to the generality of section 1(1)(a), the Council may make to the appropriate Minister general recommendations as to the making of appointments to membership of any tribunals mentioned in Schedule 1 or of panels constituted for the purposes of any such tribunals; and (without prejudice to any statutory provisions having effect with respect to such appointments) the appropriate Minister shall have regard to recommendations under this section.

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- (2) In this section “the appropriate Minister”, in relation to appointments of any description, means 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 tribunal specified in Part II of Schedule 1—
- (a) the Council shall not make any recommendations under this section until—
    - (i) they have referred the matter of the recommendations for consideration, and report to the Council, by the Scottish Committee, and
    - (ii) they have considered the report of that Committee,
  - (b) without prejudice to the generality of section 4(5), the Scottish Committee may of its own motion propose any such general recommendations as expedient to be made by the Council to the appropriate Minister, and
  - (c) if the Council—
    - (i) 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
    - (ii) 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 the [<sup>F8</sup>Scottish Ministers].

#### Textual Amendments

**F8** Words in s. 5(3)(c) substituted (1.7.1999) by S.I. 1999/1747, arts. 1, 3, Sch. 9 Pt. II para. 2(2); S.I. 1998/3178, art. 3

## 6 Appointment of chairmen of certain tribunals.

- (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) applies to any tribunal specified in [<sup>F9</sup>paragraph 7(b) or 38(a)] of Schedule 1.
- [<sup>F10</sup>(4) In relation to the tribunals specified in paragraph 41(a), (b) and (c) of Schedule 1, this section has effect subject to sections 41 (social security appeal tribunals), 43 (disability appeal tribunals) and 50 (medical appeal tribunals) of the <sup>M1</sup>Social Security Administration Act 1992.]

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- (5) The person or persons constituting any tribunal specified in paragraph 31 of Schedule 1 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.
- (6) 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.
- (7) 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.
- (8) In relation to any of the tribunals referred to in 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.
- (9) <sup>F11</sup> .....

#### Textual Amendments

- F9** Words in s. 6(3) substituted (1.6.1999, 18.10.1999, 29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, ss. 86(1), 87(2), **Sch. 7 para. 118(1)**; S.I. 1999/1510, **art. 2(g)(vi)**; S.I. 1999/2860, **art. 2(c)**, **Sch.**; S.I. 1999/3178, 2(1)(2), **Sch.**
- F10** S. 6(4) repealed (18.10.1999, 29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, ss. 86(1)(2), 87(2), **Sch. 7 para. 118(2)**, **Sch. 8**; S.I. 1999/2860, **art. 2(c)**, **Sch.**; S.I. 1999/3178, **art. 2(1)(2)**, **Sch.**
- F11** S. 6(9) repealed (3.4.2006) by **Constitutional Reform Act 2005 (c. 4)**, ss. 15(1), 146, 148(1), **Sch. 4 para. 224**, **Sch. 18 Pt. 2**; S.I. 2006/1014, **art. 2(a)**, **Sch. 1 paras. 11(u)**, **30(b)**

#### Marginal Citations

- M1** 1992 c. 5.

## 7 Concurrence required for removal of members of certain tribunals.

- (1) Subject to subsection (2), the power of a Minister <sup>F12</sup> . . . to terminate a person’s membership of any tribunal specified in Schedule 1, or of a panel constituted for the purposes of any such tribunal, shall be exercisable only with the consent of—
- the Lord Chancellor [<sup>F13</sup>(unless he is the Minister terminating the person’s membership), the Lord Chief Justice of England and Wales,] 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;
  - the Lord Chancellor [<sup>F13</sup>(unless he is the Minister terminating the person’s membership), the Lord Chief Justice of England and Wales,] and the Lord President of the Court of Session, if the tribunal sits in all parts of Great Britain;
  - the Lord Chancellor [<sup>F13</sup>(unless he is the Minister terminating the person’s membership), the Lord Chief Justice of England and Wales,] and the Lord Chief Justice of Northern Ireland, if the tribunal sits both in England and Wales and in Northern Ireland;
  - the Lord Chancellor [<sup>F14</sup>(unless he is the Minister terminating the person’s membership) and the Lord Chief Justice of England and Wales], if the tribunal does not sit outside England and Wales;



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- (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 tribunal specified in paragraph 3<sup>F15</sup> . . . , 12, 14 [F16 15(f)], 17, 18<sup>F15</sup> . . . , 26, 33(a), [F17 33AA]. . . 34, 35<sup>F18</sup> . . . (e) [F19 [F20 (i), (j), (k) or (l)]], 36(a) [F21 36A<sup>F22</sup> . . . ], 39(b), 40, [F23 48 or 56(a)] [F24 or 57A] of Schedule 1.
- (3)<sup>F25</sup> . . . . .

**Textual Amendments**

- F12** Words in s. 7(1) repealed (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 146, 148(1), Sch. 4 para. 225(2), **Sch. 18 Pt. 2**; S.I. 2006/1014, art. 2(a), Sch. 1 paras. 11(u), **30(b)**
- F13** Words in s. 7(1)(a)-(c) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 225(3)**; S.I. 2006/1014, art. 2(a), **Sch. 1 para. 11(u)**
- F14** Words in s. 7(1)(d) inserted (3.4.2006) by Constitutional Reform Act 2005 (c. 4), ss. 15(1), 148(1), **Sch. 4 para. 225(4)**; S.I. 2006/1014, art. 2(a), **Sch. 1 para. 11(u)**
- F15** Words in s. 7(2) repealed (1.12.2001) by S.I. 2001/3649, **arts. 1, 334**
- F16** Word in s. 7(2) inserted (1.10.1998) by 1998 c. 31, s. 25(4), **Sch. 5 para. 10(1)**; S.I. 1998/2212, art. 2(1), **Sch. 1 Pt. 1**
- F17** Word in s. 7(2) inserted (1.4.1999) by 1998 c. 22, s. 1(5), **Sch. 1 Pt. III para. 12(2)(a)**; S.I. 1999/650, **art. 2(a)(b)**
- F18** Words in s. 7(2) repealed (6.4.1997) by 1995 c. 26, ss. 151, 177, Sch. 5 para. 16(2), **Sch. 7 Pt. III**; S.I. 1997/664, art. 2(3), **Sch. Pt. II**
- F19** Words in s. 7(2) inserted (6.4.1997) by 1995 c. 26, s. 122, **Sch. 3 para. 21(a)**; S.I. 1997/664, art. 2(3), **Sch. Pt. II**
- F20** Words in s. 7(2) substituted (10.2.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322(1), **Sch. 12 para. 8(2)**; S.I. 2005/275, **art. 2(4)**, Sch. Pt. 4
- F21** Word in s. 7(2) inserted (E.W.) (1.4.1999) by 1996 c. 16, s. 103(1), **Sch. 7 para. 45**; S.I. 1999/533, **art. 2(a)**
- F22** Words in s. 7(2) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 178(8), Sch. 4 para. 61, **Sch. 17 Pt. 2**; S.I. 2006/378, **art. 4(1)**, Sch. para. 13(v) (subject to art. 4(2)-(7))
- F23** Words in s. 7(2) substituted (in force for specified purposes 18.10.1999 otherwise *prosp.*) by virtue of 1998 c. 14, s. 86(1), **Sch. 7 para. 119**; S.I. 1999/2860, art. 2(c), **Sch. 1**
- F24** Words in s. 7(2) substituted (1.8.1996) by 1994 c. 29, s. 44, **Sch. 5**, para. 39(b); S.I. 1996/1646, art. 2, **Sch.**
- F25** S. 7(3) repealed (4.4.2005) by Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), ss. 26(7), 47, 48(3), Sch. 2 para. 7(2), **Sch. 4**; S.I. 2005/565, **art. 2(d)** (with arts. 3-9)

**8 Procedural rules for tribunals.**

- (1) The power of a Minister, the Lord President of the Court of Session, the Commissioners of Inland Revenue or the Foreign Compensation Commission to make, approve, confirm or concur in procedural rules for any tribunal specified in Schedule 1 shall be exercisable only after consultation with the Council.
- <sup>F26</sup>(2) . . . . .
- (3) The Council shall consult the Scottish Committee in relation to the exercise of their functions under this section [F27 with respect to any tribunal specified in Part 2 of Schedule 1]

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- (4) In this section “procedural rules” includes any statutory provision relating to the procedure of the tribunal in question.

#### Textual Amendments

- F26** S. 8(2) repealed (1.12.2001) by [S.I. 2001/3649](#), [arts. 1](#), 335(2)  
**F27** Words in s. 8(3) substituted for s. 8(3)(a)(b) (1.12.2001) by [S.I. 2001/3649](#), [arts. 1](#), 335(3)

## 9 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), rules made under this section may regulate procedure in connection with matters preparatory to such statutory inquiries as are mentioned in subsection (1), 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—
- (a) for any reference to the Lord Chancellor there shall be substituted a reference to the Lord Advocate, and
  - (b) the Council, in exercising their functions under this section in relation to rules to be made by the Lord Advocate, shall consult with the Scottish Committee.

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

- C11** S. 9: transfer of certain functions (1.7.1999) by [S.I. 1999/1750](#), [arts. 1](#), 2, [Sch. 1](#) (with [art. 7](#)); [S.I. 1998/3178](#), [art. 3](#)

*Judicial control of tribunals etc.*

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

- (1) Subject to the provisions of this section and of section 14, where—
- (a) any tribunal specified in Schedule 1 gives any decision, or
  - (b) any Minister notifies any decision taken by him—
    - (i) after a statutory inquiry has been held by him or on his behalf, or
    - (ii) in a case in which a person concerned could (whether by objecting or otherwise) have required a statutory inquiry to be so held,
- 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.



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- (2) The statement referred to in subsection (1) may be refused, or the specification of the reasons restricted, on grounds of national security.
- (3) A tribunal or Minister may refuse to furnish a statement under subsection (1) to a person not primarily concerned with the decision if of the opinion that to furnish it would be contrary to the interests of any person primarily concerned.
- (4) Subsection (1) does not apply to any decision taken by a Minister after the holding by him or on his behalf of an inquiry or hearing which is a statutory inquiry by virtue only of an order made under section 16(2) unless the order contains a direction that this section is to apply in relation to any inquiry or hearing to which the order applies.
- (5) Subsection (1) does not apply—
  - (a) to decisions in respect of which any statutory provision has effect, apart from this section, as to the giving of reasons,
  - (b) 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, <sup>F28</sup> . . .
  - <sup>F29</sup>(c) . . . . .
  - (ba) <sup>F28</sup> . . . . .
- (6) Any statement of the reasons for a decision referred to in paragraph (a) or (b) of subsection (1), 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.
- (7) If, after consultation with the Council, it appears to the Lord Chancellor <sup>F30</sup> . . . that it is expedient that—
  - (a) decisions of any particular tribunal or any description of such decisions, or
  - (b) any description of decisions of a Minister,should be excluded from the operation of subsection (1) 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 <sup>F30</sup> . . . may by order direct that subsection (1) shall not apply to such decisions.
- (8) Where an order relating to any decisions has been made under subsection (7), the Lord Chancellor <sup>F30</sup> . . . may, by a subsequent order made after consultation with the Council, revoke or vary the earlier order so that subsection (1) applies to any of those decisions.

**Textual Amendments**

- F28** S. 10(5)(ba) and preceding word repealed (1.9.2005) by [Pensions Act 2004 \(c. 35\)](#), ss. 320, 322(1), [Sch. 13 Pt. 1](#) ; S.I. 2005/1720, art. 2(16), [Sch. Pt. 3](#) (with art. 4 (as amended by S.I. 2009/1583, art. 2))
- F29** S. 10(5)(c) repealed (6.4.1997) by [1995 c. 26](#), ss. 151, 177, [Sch. 5 para. 16\(3\)](#), [Sch. 7 Pt. III](#)
- F30** Words in s. 10(7)(8) omitted (1.7.1999) by virtue of S.I. 1999/1750, arts. 1, 6(1), [Sch. 5 para. 11](#); S.I. 1998/3178, [art. 3](#)

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

- C12** S. 10(7)(8): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, [Sch. 1](#) (with art. 7); S.I. 1998/3178, [art. 3](#)

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## 11 Appeals from certain tribunals.

- (1) Subject to subsection (2), if any party to proceedings before any tribunal specified in paragraph 8, [F31 15(a) or (d)], 16, F32 . . . , 24, 26, 31, 33(b), 37 [F33, 40A][F34, 40B], 44 or 45 of Schedule 1 is dissatisfied in point of law with a decision of the tribunal he may, according as rules of court may provide, either appeal from the tribunal to the High Court or require the tribunal to state and sign a case for the opinion of the High Court.
- (2) [F35 This section] shall not apply in relation to—
  - [F36 (a)] proceedings before [F37 employment tribunals] which arise under or by virtue of any of the enactments mentioned in section [F38 21(1) of [F37 the Employment Tribunals Act 1996]][F39]; or
  - (b) proceedings under section 20 of the Abolition of Feudal Tenure etc. (Scotland) Act 2000 (asp 5) (reallotment of real burden).]
- (3) Rules of court made with respect to all or any of the tribunals referred to in subsection (1) 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 16 of the M2 Supreme Court Act 1981 (jurisdiction of Court of Appeal to hear and determine appeals from judgments of the High Court).
- (4) 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 rehearing and determination by the tribunal;
  - (c) the giving of directions to the tribunal;
 and different provisions may be made for different tribunals.
- (5) An appeal to the Court of Appeal shall not be brought by virtue of this section except with the leave of the High Court or the Court of Appeal.
- (6) Subsection (1) shall apply to a decision of the Secretary of State on an appeal under section 41 of the M3 Consumer Credit Act 1974 from a determination of the [F40 Office 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 (4) to a tribunal shall be construed, in relation to such an appeal, as references to the Secretary of State.
- (7) 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 preceding provisions of this section, or on an appeal under section 41 of the 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—
    - (i) for references to the High Court or the Court of Appeal there shall be substituted references to the Court of Session,

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- (ii) in subsection (3) for “in the form of a special case for the decision of the High Court” there shall be substituted “ 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, and
    - (iii) subsection (5) shall be omitted,
  - (b) this section shall apply, with the modifications specified in paragraph (a)—
    - (i) to proceedings before any such tribunal as is specified in paragraph 51, 56(b), 59 or 63 of Schedule 1, and
    - (ii) subject to paragraph (c) below, to proceedings before the Lands Tribunal for Scotland,  
as it applies to proceedings before the tribunals referred to in subsection (1);
  - (c) subsection (1) shall not apply in relation to proceedings before the Lands Tribunal for Scotland which arise under section 1(3A) of the <sup>M4</sup>Lands Tribunal Act 1949 (jurisdiction of the tribunal in valuation matters);
  - (d) 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.
- (8) In relation to any proceedings in Northern Ireland of any of the tribunals referred to in subsection (1) and in relation to a decision of the Secretary of State on an appeal under section 41 of the <sup>M5</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—
  - (a) in subsection (3), for the words from the beginning to “provide” there shall be substituted “ Rules may be made under section 55 of the <sup>M6</sup>Judicature (Northern Ireland) Act 1978 providing ”, and for “section 16 of the Supreme Court Act 1981” there shall be substituted “ section 35 of the Judicature (Northern Ireland) Act 1978 ”;
  - (b) in subsection (4), for “the power to make rules of court shall include power to make rules” there shall be substituted “ rules may be made under section 55 of the Judicature (Northern Ireland) Act 1978 ”;
  - (c) at the beginning of subsection (5), there shall be inserted “ Rules made under section 55 of the Judicature (Northern Ireland) Act 1978, relating to such proceedings as are mentioned in subsection (4), 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, but ”.
- (9) 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 Islands of the tribunal specified in paragraph 45 of Schedule 1, 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.
- (10) In this section “decision” includes any direction or order, and references to the giving of a decision shall be construed accordingly.

#### Textual Amendments

**F31** Words in s. 11(1) substituted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 42(1), **Sch. 8 para. 20(a)** (with s. 43(13)); S.I. 2002/2217, art. 3, **Sch. 1 Pt. 1**

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- F32** Word in s. 11(1) repealed (1.12.2001) by S.I. 2001/3649, **arts. 1**, 336
- F33** Words in s. 11(1) inserted (17.12.1992) by Sea Fish (Conservation) Act 1992 (c. 60), **s. 9(2)** (with s. 11(4)).
- F34** Words in s. 11(1) inserted (E.W.S.) (1.9.2002) by 2001 c. 10, s. 42(1), **Sch. 8 para. 20(b)** (with s. 43(13)); S.I. 2002/2217, **art. 3, Sch. 1 Pt. 1**
- F35** Words in s. 11(2) substituted (22.8.1996) by 1996 c. 18, ss. 240, 243, **Sch. 1 para. 57**
- F36** Words in s. 11(2) re-numbered as s. 11(2)(a) (S.) (1.11.2003) by virtue of 2000 asp 5, ss. 22(a), 77 (with ss. 58, 62, 75); S.S.I. 2003/455, **art. 2**
- F37** Words in s. 11(2) substituted (1.8.1998) by 1998 c. 8, **ss. 1(2)(b)(c)**, 16(3)(c); S.I. 1998/1658, **art. 2(1), Sch. 1**
- F38** Words in s. 11(2) substituted (22.8.1996) by 1996 c. 17, ss. 43, 46, **Sch. 1 para. 9(2)** (with s. 38)
- F39** S. 11(2)(b) and preceding word inserted (S.) (1.11.2003) by 2000 asp 5, ss. 22(b), 77 (with ss. 58, 62, 75); S.S.I. 2003/455, **art. 2**
- F40** Words in 11(6) substituted (1.4.2003) by 2002 c. 40, ss. 279, 278, Sch 25 para. 27(2); S.I. 2003/766, **art. 2 Sch.** (with art. 3)

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

- C13** S. 11 excluded (E.W.S.) (16.10.1992) by Trade Union and Labour Relations (Consolidation) Act 1992 (c. 52), **ss. 291(3)**, 302.  
S. 11: power to modify conferred (1.9.1994) by 1994 c. 23, **ss. 86(2)**, 101(1) (with Sch. 13 para. 9)  
S. 11 excluded (E.W.S.) (3.1.1995) by 1973 c. 35, **s. 3D(2)** (as inserted (3.1.1995) by 1994 c. 40, s. 35, **Sch. 10 para. 1(3)**; 1994/3188, art. 3(p))  
S. 11 excluded (1.10.1994) by S.I. 1994/1978, **art. 2**  
S. 11 extended (8.5.1998) by 1997 c. 66, **ss. 45**, 46; S.I. 1998/1028, **art. 2**
- C14** S. 11(1)(3)-(5)(10) extended (with modifications) (I.O.M.) (1.1.1993) by S.I. 1992/3205, **art. 2**
- C15** S. 11(1) excluded (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 175(8), 181(1); S.I. 2003/1986, **art. 2(c)(i)** (with Sch. 2); S.I. 2004/669, **art. 2(c)(i)** (with Sch. 2 para. 13)
- C16** S. 11(1) excluded (4.7.2005 for E. and 16.6.2006 for W.) by Housing Act 2004 (c. 34), **ss. 231(4)**, 270; S.I. 2005/1729, **art. 2(a)** (subject to art. 3); S.I. 2006/1535, **art. 2(a)** (with art. 3, Sch.)
- C17** S. 11(1) excluded (6.4.2006) by The Transfer of Undertakings (Protection of Employment) Regulations 2006 (S.I. 2006/246), **regs. 16(2)**, 21(1) (with reg. 21(2)-(5))
- C18** S. 11(1) excluded (N.I.) (6.4.2006) by The Service Provision Change (Protection of Employment) Regulations (Northern Ireland) 2006 (S.R. 2006/177), **regs. 16(2)**, 21(1) (with reg. 21(2)(3))

#### Marginal Citations

- M2** 1981 c. 54.  
**M3** 1974 c. 39.  
**M4** 1949 c. 42.  
**M5** 1974 c. 39.  
**M6** 1978 C. 23.

## 12 Supervisory functions of superior courts not excluded by Acts passed before 1st August 1958.

- (1) As respects England and Wales—
- (a) 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
  - (b) any provision in such an Act which by similar words excludes any of the powers of the High Court,

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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.

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

#### *Supplementary provisions*

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

- (1) The Lord Chancellor <sup>F41</sup> . . . may by order amend Part I or Part II of Schedule 1 by adding to that Part any such tribunals, other than any of the ordinary courts of law, as may be provided by the order.
- (2) The Lord Chancellor <sup>F41</sup> . . . may by order make provision, as respects any tribunal for the time being specified in Schedule 1, not being a tribunal mentioned in section 6, for amending that section so as to apply 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 <sup>F41</sup> . . . may by order amend section 11 so as to apply that section to any tribunal for the time being specified in Schedule 1.
- (4) Any order under subsection (1), (2) or (3) 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 <sup>F41</sup> . . . may by order—
- (a) repeal or amend section 7(3) of this Act or any of paragraphs 5 <sup>F42</sup> . . . , 9, 13, 16, 20, 22, 23, 24, 29, 30, 32, 35(a) <sup>F43</sup> . . . , 37, 39(c), 43, 44, 47, 49, 51, 54, 55, 56(d), 57(a), 58, 59 and 63 of Schedule 1;
  - <sup>F44</sup>(b) repeal the reference in section 6 to paragraph 43 of Schedule 1;
  - (c) repeal the reference in section 8(1) to the Foreign Compensation Commission and the reference in section 14(1) to paragraph 20 of Schedule 1;
  - (d) repeal the references in section 11 to any of paragraphs 16, 24, 37, 44, 51, 59 and 63 of Schedule 1; and
  - (e) repeal the references in paragraphs 21 and 53 of Schedule 1 to sections 16, 17B and 25 of the <sup>M7</sup>Forestry Act 1967.

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- (6) Nothing in this section authorises the making of an order with respect to a tribunal having jurisdiction only over matters with respect to which the Parliament of Northern Ireland had power to make laws.

#### Textual Amendments

- F41** Words in s. 13(1)(2)(3)(5) omitted (1.7.1999) by virtue of S.I. 1999/1750, arts. 1, 6(1), **Sch. 5 para. 11** (with art. 7); S.I. 1998/3178, **art. 3**
- F42** Word in s. 13(5)(a) repealed (1.12.2001) by S.I. 2001/3649, **arts. 1, 337**
- F43** Words in s. 13(5)(a) repealed (6.4.1997) by 1995 c. 26, ss. 151, 177, Sch. 5 para. 16(4), **Sch. 7 Pt. III**; S.I. 1997/664, art. 2(3), **Sch. Pt. II**
- F44** S. 13(5)(b) repealed (29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, ss. 86(1)(2), 87(2), Sch. 7 para. 120(b), **Sch. 8**; S.I. 1999/3178, art. 2(1)(2), **Sch. 1**

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

- C19** S. 13: transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

#### Marginal Citations

- M7** 1967 c. 10.

## 14 Restricted application of Act in relation to certain tribunals.

- (1) References in this Act to the working or a decision of, or procedural rules for,—
- any tribunals specified in paragraph 14(a), 20, 33, 34, 39(a) or (b), 40, 48, 56 or 60 of Schedule 1,
  - [<sup>F45</sup>the Office of Fair Trading] referred to in paragraph 17 of Schedule 1, or
  - the Controller of Plant Variety Rights referred to in paragraph 36(a) of Schedule 1,

do not include references to their working, decisions or procedure in the exercise of executive functions.

[<sup>F46</sup>(1A) In this Act—

- references to the working of the Pensions Regulator referred to in paragraph 35(i) of Schedule 1 are references to its working so far as relating to the exercise of its regulatory functions (within the meaning of section 93(2) of the Pensions Act 2004) or any corresponding function conferred by a provision in force in Northern Ireland, and
- references to procedural rules for the Pensions Regulator are references to regulations under paragraph 19 of Schedule 1 to that Act (Secretary of State's powers to make regulations in respect of Regulator's procedure) so far as they relate to the procedure to be followed when exercising those functions.]

[<sup>F47</sup>(2) . . . . .

- (3) For the purposes of this Act, the functions of the Civil Aviation Authority referred to in paragraph 3 of Schedule 1 are to be taken to be confined to those prescribed for the purposes of section 7(2) of the <sup>M8</sup>Civil Aviation Act 1982.



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#### Textual Amendments

- F45** Words in S. 14(1)(b) substituted (1.4.2003) by 2002 c. 40, ss. 278, 279, Sch. 25 para. 27(3); S.I. 2003/766, art. 2 Sch. (with art. 3)
- F46** S. 14(1A) substituted (10.2.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322(1), Sch. 12 para. 8(3); S.I. 2005/275, art. 2(4), Sch. Pt. 4
- F47** S. 14(2) repealed (6.4.1997) by 1995 c. 26, ss. 151, 177, Sch. 5, para. 16(5), Sch. 7 Pt. III; S.I. 1997/664, art. 2(3), Sch. Pt. II

#### Marginal Citations

- M8** 1982 c. 16.

## 15 Rules and orders.

Any power of the Lord Chancellor and 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.

## 16 Interpretation.

- (1) In this Act, except where the context otherwise requires—
- “decision”, “procedural rules” and “working”, in relation to a tribunal, shall be construed subject to section 14,
  - “Council” means the Council on Tribunals,
  - “Minister” includes [<sup>F48</sup>the National Assembly for Wales and] any Board presided over by a Minister,
  - “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), and
  - “statutory provision” means a provision contained in, or having effect under, any enactment.
- (2) The Lord Chancellor <sup>F49</sup>. . . 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.

#### Textual Amendments

- F48** S. 16(1): words in the definition of “Minister” inserted (1.4.1999) by 1998 c. 38, s. 125, Sch. 12 para. 33 (with ss. 139(2), 143(2)); S.I. 1999/782, art. 2
- F49** Words in s. 16(2) omitted (1.7.1999) by S.I. 1999/1750, arts. 1, 6(1), Sch. 5 para. 11; S.I. 1998/3178, art. 3

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

**C20** S. 16(2): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

**17 Transitory provisions.**

The transitory provisions in Schedule 2 to this Act shall have effect.

**18 Consequential amendments, repeals and saving.**

- (1) The enactments specified in Schedule 3 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 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) Notwithstanding the repeal by this Act of Schedule 3 to the <sup>M9</sup>Tribunals and Inquiries Act 1971, section 3(12)(a) of the <sup>M10</sup>Lands Tribunal Act 1949 shall continue to have effect with the substitution for paragraph (a) of the following paragraph—  
“(a) Subsection (4) of this section shall not apply;”.

**Marginal Citations**

**M9** 1971 c. 62.

**M10** 1949 c. 42

**19 Short title, commencement and extent.**

- (1) This Act may be cited as the Tribunals and Inquiries Act 1992.
- (2) This Act shall come into force on 1st October 1992.
- (3) This Act extends to Northern Ireland.

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## SCHEDULES

### SCHEDULE 1

Section 1.

#### TRIBUNALS UNDER GENERAL SUPERVISION OF COUNCIL

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

C21 Sch. 1 extended (14.2.2000) by [S.I. 2000/124](#), [reg. 38](#)

#### PART I

#### TRIBUNALS UNDER DIRECT SUPERVISION OF COUNCIL

<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); (b) arbitrators appointed (otherwise than by agreement) under [ <sup>F50</sup> section 84 of] the Agricultural Holdings Act 1986 (c. 5).
Aircraft and shipbuilding industries	2. The Aircraft and Shipbuilding Industries Arbitration Tribunal established under section 42 of the Aircraft and Shipbuilding Industries Act 1977 (c. 3).
[ <sup>F51</sup> Asylum-seekers support]	[ <sup>F51</sup> 2A. Asylum Support Adjudicators established under section 102 of the Immigration and Asylum Act 1999.]
[ <sup>F52</sup> Antarctica]	[ <sup>F52</sup> 2A. The Tribunal established under Regulation 11 of the <sup>M11</sup> Antarctic Regulations 1995.]
Aviation	3. The Civil Aviation Authority established under section 2 of the Civil Aviation Act 1982 (c. 16).
F53	F53
...	...
Betting levy	5. An appeal tribunal for England and Wales established under section 29 of the Betting, Gaming and Lotteries Act 1963 (c. 2).
F53	F53

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. . .	. . .
Child support maintenance	7. [ <sup>F54</sup> (a) Appeal tribunals constituted under Chapter I of Part I of the Social Security Act 1998 (c. 14)];  (b) a Child Support Commissioner appointed under section 22 of [ <sup>F55</sup> the Child Support Act 1991 (c.48)] and any tribunal presided over by such a Commissioner.
Children’s homes, voluntary homes, nursing homes, mental nursing homes and residential care homes.	8. Registered Homes Tribunals constituted under Part III of the Registered Homes Act 1984 (c. 23).
Commons	9. The Commons Commissioners and assessors appointed under section 17(2) and (3) of the Commons Registration Act 1965 (c. 64).
[ <sup>F56</sup> Competition]	[ <sup>F56</sup> 9A. [ <sup>F57</sup> The Competition Appeal Tribunal established under section 12 of the Enterprise Act 2002]]
Conveyancing	10. A Conveyancing Appeals Tribunal constituted under section 39 of the Courts and Legal Services Act 1990 (c. 41).
Copyright	11. The Copyright Tribunal constituted under section 145 of the Copyright, Designs and Patents Act 1988 (c. 48).
Criminal injuries compensation	[ <sup>F58</sup> 12. The adjudicators appointed under section 5 of the Criminal Injuries Compensation Act 1995 (c 53).]
Dairy produce quotas	[ <sup>F59</sup> 13 The Dairy Produce Quota Tribunal for England and Wales reconstituted under regulation 7(1)(a) of the Dairy Produce Quotas (General Provisions) Regulations 2002 <sup>M12</sup> .]
[ <sup>F60</sup> Data protection]	[ <sup>F60</sup> 14. (a) [ <sup>F61</sup> The Information Commissioner] appointed under section 6 of the Data Protection Act 1998; [ <sup>F62</sup> (b)the Information Tribunal constituted under that section, in respect of its jurisdiction under— (i) section 48 of that Act], and (ii)section 57 of the Freedom of Information Act 2000.]
Education	15. (a) Independent Schools Tribunals constituted under [ <sup>F63</sup> section 476 of, and

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	Schedule 34 to, the Education Act 1996 (c. 56)];
	[ <sup>F64</sup> (b) exclusion appeal panels constituted in accordance with regulations under section 52 of the Education Act 2002
	<sup>F64</sup> (c) admission appeal panels constituted in accordance with regulations under section 94(5) or 95(3) of the School Standards and Framework Act 1998];
	(d) a tribunal constituted in accordance with [ <sup>F65</sup> Schedule 3 to the Education Act 2005]
	<sup>F66</sup>
	(e) . . .
	[ <sup>F67</sup> (f) an adjudicator appointed under section 25 of the School Standards and Framework Act 1998.]
Employment	16. The [ <sup>F68</sup> employment tribunals] for England and Wales established under [ <sup>F69</sup> section 1(1) of [ <sup>F68</sup> the Employment Tribunals Act 1996] (c. 17)].
Fair trading	17. [ <sup>F70</sup> The Office of Fair Trading in respect of its functions under the Consumer Credit Act 1974 and the Estate Agents Act 1979, and any member of its staff authorised to exercise those functions.]
[ <sup>F71</sup> Financial services and markets]	[ <sup>F71</sup> 18. The Financial Services and Markets Tribunal.]
Food	19. Tribunals constituted in accordance with regulations under Part II of the Food Safety Act 1990 (c. 16).
Foreign compensation	20. The Foreign Compensation Commission constituted under section 1 of the Foreign Compensation Act 1950 (c. 12).
Forestry	21. Committees appointed for the purposes of section 16, 17B, 20, 21 or 25 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.
<sup>F53</sup>	<sup>F53</sup>
. . .	. . .
[ <sup>F72</sup> Gender Recognition	21AA. Gender Recognition Panels constituted under Schedule 1 to the Gender Recognition Act 2004 (c. 7).]

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[ <sup>F73</sup> Immigration and asylum	22. The Asylum and Immigration Tribunal constituted under section 81 of the Nationality, Immigration and Asylum Act 2002.]
F74 .....	F74 .....
Industrial training levy exemption	24. Referees established by the Industrial Training (Levy Exemption References) Regulations 1974 (S.I. 1974/1335).
Industry	25. An arbitration tribunal established under Schedule 3 to the Industry Act 1975 (c. 68).
Insolvency practitioners	26. The Insolvency Practitioners Tribunal referred to in section 396 of the Insolvency Act 1986 (c. 45).
Land	27. The Lands Tribunal constituted under section 1(1)(b) of the Lands Tribunal Act 1949 (c. 42).
[ <sup>F75</sup> Land Registration	27B. The Adjudicator to Her Majesty's Land Registry.]
[ <sup>F76</sup> Local authorities, conduct of members	27A. A case tribunal or interim case tribunal appointed under section 76 of the Local Government Act 2000.]
Local taxation	28. Valuation tribunals established by regulations under Schedule 11 to the Local Government Finance Act 1988 (c. 41).
London Building Acts	29. The tribunals of appeal constituted in accordance with section 109 of the London Building Acts (Amendment) Act 1939 (c. xcvi).
Mental health	30. The Mental Health Review Tribunals constituted or having effect as if constituted under section 65 of the Mental Health Act 1983 (c. 20).
Mines and quarries	31. Tribunals for the purposes of section 150 of the Mines and Quarries Act 1954 (c. 70).
Misuse of drugs	32. The Misuse of Drugs Tribunal in England and Wales constituted under Part I of Schedule 3 to the Misuse of Drugs Act 1971 (c. 38).
[ <sup>F77</sup> National Health Service	F77 33. (a) [ <sup>F78</sup> Primary Care Trusts established under section 16A of the National Health Service Act 1977 (c.49) or Health Authorities established under section 8 of that Act] in respect of their functions under the



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	<p><sup>M13</sup>National Health Service (Service Committees and Tribunal) Regulations 1992 or any regulations amending or replacing those Regulations;</p> <p>[<sup>F79</sup>(b) the Family Health Services Appeal Authority constituted under section 49S of that Act;]</p> <p>(c) committees of [<sup>F80</sup>Primary Care Trusts or] Health Authorities established under regulation 3 of those Regulations or any provision amending or replacing that regulation.]</p>
[ <sup>F81</sup> National Lottery]	[ <sup>F81</sup> 33AA. The National Lottery Commission in respect of their functions under sections 10 and 10A of, and Schedule 3 to, the National Lottery etc. Act 1993 (c. 39), and any member, employee or committee of that Commission authorised under paragraph 8 of Schedule 2A to that Act to exercise any of those functions.]
<sup>F82</sup>	<sup>F82</sup>
. . .	33A. . . .
<sup>F83</sup>	<sup>F83</sup>
. . .	33B. . . .
[ <sup>F84</sup> Patents, designs and trade marks]	34. 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	35. (a) Pensions Appeal Tribunals for England and Wales established under section 8 of the War Pensions (Administrative Provisions) Act 1919 (c. 53);
	(b) Pensions Appeal Tribunals constituted under the Pensions Appeal Tribunals Act 1943 (c. 39), being tribunals appointed for England and Wales;
	(c) appeal tribunals constituted in accordance with a scheme in force under section 26 of the Fire Services Act 1947 (c. 41);
	<sup>F85</sup>
	(d). . .
	(e) the Pensions Ombudsman established under [ <sup>F86</sup> Part X of the Pension Schemes Act 1993] in respect of his functions under or by virtue of [ <sup>F87</sup> section 146(1)(c) and (d)] of that Act;

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(f) tribunals appointed under regulations under section 1 of the Police Pensions Act 1976 (c. 35) to hear such appeals as by virtue of the regulations lie to tribunals so appointed.

F88

F89

[<sup>F90</sup>(i) the Pensions Regulator established by section 1 of the Pensions Act 2004;]

[<sup>F91</sup>(j) the Pensions Regulator Tribunal established by section 102 of that Act;]

[<sup>F92</sup>(k) the Board of the Pension Protection Fund established by section 107 of the Pensions Act 2004 in respect of its functions under or by virtue of section 207 of that Act or any enactment in force in Northern Ireland corresponding to that section;]

[<sup>F93</sup>(l) the Ombudsman for the Board of the Pension Protection Fund in respect of his functions under or by virtue of section 213 of that Act or any enactment in force in Northern Ireland corresponding to that section.]

Plant varieties

36. (a) The Controller of Plant Variety Rights and any officer authorised to exercise the functions of the Controller under [<sup>F94</sup>paragraph 3 of Schedule 1 to the Plant Varieties Act 1997];

(b) the Plant Varieties and Seeds Tribunal [<sup>F95</sup>(referred to in section 42 of that Act)].

[<sup>F96</sup>Protection of children [<sup>F97</sup>and vulnerable adults, and care standards]]

[<sup>F96</sup>[<sup>F98</sup>36B]. The tribunal constituted under section 9 of the Protection of Children Act 1999.]

[<sup>F99</sup> Police

36A. [<sup>F100</sup><sup>F101</sup> . . . ] An appeals tribunal constituted in accordance with Schedule 6 to the Police Act 1996 (c.16).]

F102

Rents

37. Rent assessment committees constituted in accordance with Schedule 10 to the Rent Act 1977 (c. 42).

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Reserve forces	<p>38. (a) The Reinstatement Committees appointed under paragraph 1 of Schedule 2 to the Reserve Forces (Safeguard of Employment) Act 1985 (c. 17);</p> <p>(b) the umpire and any deputy umpire appointed under paragraph 5 of Schedule 2 to that Act. [F103(c) the appeal tribunals constituted under Part IX of the Reserve Forces Act 1996]</p>
Revenue	<p>39. (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;</p> <p>(b) the Commissioners for the special purposes of the Income Tax Acts appointed under section 4 of that Act;</p> <p>(c) the tribunal constituted for the purposes of Chapter I of Part XVII of the Income and Corporation Taxes Act 1988 (c. 1).</p>
Road traffic	<p>40. (a) The traffic commissioner for any area constituted for the purposes of the Public Passenger Vehicles Act 1981 (c. 14);</p> <p>(b) a parking adjudicator appointed under section 73(3)(a) of the Road Traffic Act 1991 (c. 40) [F104];</p> <p>(c) a road user charging adjudicator appointed under regulation 3 of the Road User Charging (Enforcement and Adjudication) (London) Regulations 2001 [F105];</p> <p>(d) a bus lane adjudicator appointed in relation to England by virtue of regulations made under section 144 of the Transport Act 2000 [M14].]</p>
F106 Sea fish (conservation)	<p>40A. The Sea Fish Licence Tribunal established under section 4AA of the Sea Fish (Conservation Act 1967 (c. 84)</p>
[F107] Special educational needs and disability discrimination.	<p>40B. [F108(a)] The Special Educational Needs and Disability Tribunal [F108(b)] the Special Educational Needs Tribunal for Wales.]</p>
Social security	<p>41. [F109(a) Appeal tribunals constituted under Chapter I of Part I of the Social Security Act 1998 (c. 14)]</p>

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	[ <sup>F110</sup> (b) disability appeal tribunals constituted under section 43 of that Act;]
	[ <sup>F110</sup> (c) medical appeal tribunals constituted under section 50 of that Act;]
	(d) a Commissioner appointed under [ <sup>F111</sup> Schedule 4 to the Social Security Act 1998 (c. 14)] and any tribunal presided over by a Commissioner so appointed;
	[ <sup>F110</sup> (e) a tribunal constituted under regulations made under section 58 of that Act.]
Transport	42. The Transport Tribunal constituted as provided in Schedule 4 to the Transport Act 1985 (c. 67).
Vaccine damage	43. The tribunals constituted under section 4 of the Vaccine Damage Payments Act 1979 (c. 17).
[ <sup>F112</sup> VAT and duties]	[ <sup>F112</sup> 44. VAT and duties tribunals for England and Wales and for Northern Ireland, constituted in accordance with Schedule [ <sup>F113</sup> 12 to the Value Added Tax Act 1994]] (c. 55).
F114	F114
.....	.....

### Textual Amendments

- F50** Words in Sch. 1 Pt. I para. 1(b) substituted (19.10.2006) by [The Regulatory Reform \(Agricultural Tenancies\) \(England and Wales\) Order 2006 \(S.I. 2006/2805\)](#), art. 18, **Sch. 1 para. 1** (with art. 10)
- F51** [Sch. 1 Pt. I para. 2A](#) inserted (14.2.2000) by 1999 c. 33, ss. 169(1), **Sch. 14 para. 95**; S.I. 2000/168, art. 2, **Sch.**
- F52** Sch. 1 Pt. I para. 2A inserted (1.12.1995) by S.I. 1995/2877, **art. 2**
- F53** Sch. 1 Pt. I paras. 4, 6, 21A (relating to “Banking”, “Building Societies” and “Friendly Societies” respectively) repealed (1.12.2001) by S.I. 2001/3649, **art. 338**
- F54** Sch. 1 Pt. I para. 7(a) substituted (4.3.1999 for specified purposes otherwise 1.6.1999) by 1998 c. 14, s. 86(1), **Sch. 7 para. 121(1)(a)**; S.I. 1999/528, art. 2, **Sch.**; S.I. 1999/1510, **art. 2(g)(vii)**
- F55** Words in Sch. 1 Pt. I para. 7(b) substituted (4.3.1999 for specified purposes otherwise 1.6.1999) by 1998 c. 14, s. 86(1), **Sch. 7 para. 121(1)(b)**; S.I. 1999/528, art. 2, **Sch.**; S.I. 1999/1510, **art. 2(g)(vii)**
- F56** Sch. 1 Pt. I para. 9A inserted (1.4.1999) by 1998 c. 41, s. 74(1), **Sch. 12 para. 15** (with s. 73); S.I. 1999/505, art. 2, **Sch. 2**
- F57** Sch. 1 Pt. I para. 9A substituted (1.4.2003) by 2002 c. 40, ss. 278, 279, Sch. 25 para. 27(4)(a); S.I. 2003/766, **art. 2** Sch. (with art. 3)
- F58** [Sch. 1 Pt. I para. 12](#) substituted (E.W.S.) (8.11.1995) by 1995 c. 53, s. 5(8)
- F59** [Sch. 1 Pt. I para. 13](#) substituted (31.3.2004) by [The Tribunals and Inquiries \(Dairy Produce Quota Tribunal\) Order 2004 \(S.I.2004/594\)](#), **art. 2**
- F60** Sch. 1 Pt. I para. 14 substituted (1.3.2000) by 1998 c. 29, s. 74(1), **Sch. 15 para. 16**; S.I. 2000/183, **art. 2(1)**

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- F61** Words in Sch. 1 Pt. I para. 14(a) substituted (30.1.2001) by 2000 c. 36, ss. 18(4), 87(2)(c), **Sch. 2 Pt. I para. 10(a)** (with ss. 7(1)(7), 56, 78)
- F62** Sch. 1 Pt. I para. 14(b) substituted (30.11.2002) by 2000 c. 36, s. 18(4), **Sch. 2 Pt. II para. 10(b)** (with ss. 7(1)(7), 56, 78); S.I. 2002/2812, **art. 2(h)**
- F63** Words in Sch. 1 Pt. I para. 15(a) substituted (1.11.1996) by 1996 c. 56, SS. 582(1), 583(2), Sch. 37 para. 118(3)(a) (with ss. 1(4), 561, 562, Sch. 39 paras. 30, 36, 39)
- F64** Sch. 1 Pt. I para. 15(b)(c) substituted (20.1.2003 for E. (wholly), 9.1.2004 for W. (so far as it relates to para. 15(b)), and 31.5.2005 for W. otherwise) by 2002 c. 32, s. 215(1), **Sch. 21 para. 22** (with ss. 210(8), 214(4)); S.I. 2002/2952, **art. 2**; S.I. 2003/2961, **art. 7, Sch. Pt. 4**; S.I. 2005/1395, **art. 4, Sch.** (with **art. 5(3)(b)(4)(b)**)
- F65** Words in Sch. 1 para. 15(d) substituted (1.9.2006) by Education Act 2005 (c. 18), ss. 61, 125(4), **Sch. 9 para. 6**; S.I. 2006/1338, **art. 4(1), Sch. 2**
- F66** Sch. 1 Pt. I para. 15(e) repealed (1.9.2002) by 2001 c. 10, s. 42(1)(6), Sch. 8 Pt. 2 para. 21, **Sch. 9** (with s. 43(13)); S.I. 2002/2217, **art. 3, Sch. 1 Pt. I**
- F67** Sch. 1 Pt. I para. 15(f) inserted (1.10.1998) by 1998 c. 31, s. 25, **Sch. 5 para. 10(2)** (with ss. 138(9), 144(6)); S.I. 1998/2212, **art. 2(1), Sch. 1 Pt. I**
- F68** Words in Sch. 1 Pt. I para. 16 substituted (1.8.1998) by 1998 c. 8, **s. 1(2)(b)** (with s. 16(2)); S.I. 1998/1658, **art. 2(1), Sch. 1**
- F69** Words in Sch. 1 Pt. I para. 16 substituted (E.W.S.) (22.8.1996) by 1996 c. 17, ss. 43, 46, **Sch. 1 para. 9(3)(a)**
- F70** Sch. 1 Pt. I para. 17 substituted (1.4.2003) by 2002 c. 40, ss. 278, 279, Sch. 25 para. 27(4)(b); S.I. 2003/766, **art. 2 Sch.** (with **art. 3**)
- F71** Sch. 1 Pt. I para. 18 substituted (3.7.2001) by 2000 c. 8, s. 432(1), **Sch. 20 para. 6(2)**; S.I. 2001/2364, **art. 2** (with transitional saving in **art. 3**)
- F72** Sch. 1 Pt. I para. 21AA inserted (4.4.2005) by Gender Recognition Act 2004 (c. 7), ss. 1, 26, **Sch. 1 para. 9**; S.I. 2005/54, **art. 2**
- F73** Sch. 1: The entry for "Immigration and asylum" substituted (4.4.2005) by Asylum and Immigration (Treatment of Claimants, etc.) Act 2004 (c. 19), ss. 26, 48(1)-(3), **Sch. 2 para. 7(3)**; S.I. 2005/565, **art. 2(d)** (subject to arts. 3-9)
- F74** Sch. 1 Pt. I para. 23 repealed (1.4.2005) by virtue of Courts Act 2003 (c. 39), ss. 109(1)(3), 110(1), Sch. 8 para. 360, Sch. 10; S.I. 2005/910, **art. 3(bb)**
- F75** Sch. 1 Pt. I para. 27B inserted after para. 27 (28.4.2003) by 2002 c. 9, ss. 126, 136(2), Sch. 9 para. 8 (with s. 129); S.I. 2003/1028, **art. 2(a)**
- F76** Sch. 1 Pt. I para. 27A inserted (19.12.2000 for (E.) and in relation to police authorities (W.) and (28.7.2001) in so far as not already in force ) by 2000 c. 22, **ss. 107, 108(4)** Sch. 5 para. 28; S.I. 2000/3335, **art. 2**
- F77** Sch. 1 Pt. I para. 33 substituted (28.6.1995 for specified purposes otherwise 1.4.1996) by 1995 c. 17, ss. 2(1)(3), 8(1), **Sch. 1 para. 123** (with Sch. 2 paras. 6, 16)
- F78** Words in Sch. 1 Pt. I para. 33(a) substituted (1.10.2002) by S.I. 2002/2469, **reg. 4, Sch. 1 Pt. I para. 19(a)**
- F79** Sch. 1 Pt. I para. 33(b) substituted (1.12.2001 for E., 1.7.2002 for W.) by 2001 c. 15, ss. 67(1), 70(2), **Sch. 5 Pt. 1 para. 10** (with ss. 64(9), 65(4)); S.I. 2001/3294, **art. 4(1)(b), Sch. Pt. I** (subject to transitional provisions in **Sch. Pt. II**); S.I. 2002/1475, **art. 2 Sch.** (The amendment is also stated to be brought into force for W. (26.8.2002) by S.I. 2002/1919, **art. 3(1)**, subject to temp. amendments in **art. 3(2), Sch. Pt. III** of that S.I.)
- F80** Words in Sch. 1 Pt. I para. 33(c) substituted (1.10.2002) by S.I. 2002/2469, **reg. 4 Sch. 1 Pt. I para. 19(b)**
- F81** Sch. 1 Pt. I para. 33AA inserted (1.4.1999) by 1998 c. 22, s. 1(5), **Sch. 1 para. 12(3)**; S.I. 1999/650, **art. 2(b)**
- F82** Sch. 1 Pt. I para. 33A (relating to National Lottery) repealed (1.4.1999) by 1998 c. 22, ss. 1(5), 26, Sch. 1 para. 12(3), **Sch. 5 Pt. I**; S.I. 1999/650, **art. 2(b)(c)**
- F83** Sch. 1 Pt. I para. 33B (relating to National Savings Bank and National Savings Stock Register) repealed (1.9.2005) by Finance (No. 2) Act 2005 (c. 22), ss. 69(2), 70, **Sch. 11 Pt. 5(2)**, Note
- F84** Words in Sch. 1 Pt. I substituted (31.10.1994) by 1994 c. 26, s. 106(1), **Sch. 4 para. 9**; S.I. 1994/2550, **art. 2**

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- F85** Sch. 1 Pt. I para. 35(d) repealed (6.4.1997) by 1995 c. 26, ss. 151, 177, Sch. 5 para. 16(6), **Sch. 7 Pt. III**; S.I. 1997/664, art. 2(3), **Sch. Pt. II**
- F86** Words in Sch. 1 Pt. I para. 35(e) substituted (7.2.1994) by 1993 c. 48, s. 190, **Sch. 8 para. 44(b)(ii)**; S.I. 1994/86, **art. 2**
- F87** Words in Sch. 1 Pt. I para. 35(e) substituted (6.4.1997) by 1995 c. 26, s. 157(12); S.I. 1997/664, art. 2(3), **Sch. Pt. II**
- F88** Sch. 1 Pt. 1 para. 35(g) repealed (6.4.2005) by Pensions Act 2004 (c. 35), ss. 320, 322, **Sch. 13**; S.I. 2005/275, **art. 2(7)**, Sch. Pt. 7
- F89** Sch. 1 Pt. 1 para. 35(h) repealed (1.9.2005) by Pensions Act 2004 (c. 35), ss. 320, 322, **Sch. 13**; S.I. 2005/1720, art. 2(16), Sch. Pt. 3 (with art. 4 (as amended by S.I. 2009/1583, art. 2))
- F90** Sch. 1 Pt. I para. 35(i)-(l) inserted (10.2.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322(1), **Sch. 12 para. 8(4)**; S.I. 2005/275, **art. 2(4)**, Sch. Pt. 4
- F91** Sch. 1 Pt. I para. 35(i)-(l) inserted (10.2.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322(1), **Sch. 12 para. 8(4)**; S.I. 2005/275, **art. 2(4)**, Sch. Pt. 4
- F92** Sch. 1 Pt. I para. 35(i)-(l) inserted (10.2.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322(1), **Sch. 12 para. 8(4)**; S.I. 2005/275, **art. 2(4)**, Sch. Pt. 4
- F93** Sch. 1 Pt. I para. 35(i)-(l) inserted (10.2.2005) by Pensions Act 2004 (c. 35), ss. 319(1), 322(1), **Sch. 12 para. 8(4)**; S.I. 2005/275, **art. 2(4)**, Sch. Pt. 4
- F94** Words in Sch. 1 Pt. I para. 36(a) substituted (8.5.1998) by 1997 c. 66, s. 51(5)(a); S.I. 1998/1028, **art. 2**
- F95** Words in Sch. 1 Pt. I para. 36(b) substituted (8.5.1998) by 1997 c. 66, s. 51(5)(b); S.I. 1998/1028, **art. 2**
- F96** Sch. 1 Pt. I para. 36A inserted (E.W.) (2.10.2000) by 1999 c. 14, s. 9(7), **Sch. para. 8**; S.I. 2000/2337, **art. 2(2)**
- F97** Words in Sch. 1 Pt. I para. 36B (as renumbered) inserted (1.4.2002 for E. and W. except for the words "and vulnerable adults", as to which *prosp.*) by 2000 c. 14, ss. 116, **Sch. 4 para. 21**; S.I. 2001/4150, **art. 3(3)(a)** (subject to transitional provisions in art. 4); S.I. 2002/920, **art. 3(3)(e)**, (subject to transitional provisions in Schs. 1-3)
- F98** Sch. 1 Pt. I para. 36A (as inserted by 1999 c. 14, **Sch. para. 8**) renumbered as para. 36B (1.4.2002 for E. and W.) by 2000 c. 14, ss. 116, 122, **Sch. 4 para. 21**; S.I. 2001/4150, **art. 3(3)(a)** (subject to transitional provisions in art. 4); S.I. 2002/920, **art. 3(3)(e)** (subject to transitional provisions in Schs. 1-3)
- F99** Sch. 1 Pt. I para. 36A inserted (E.W.) (1.4.1999) by 1996 c. 16, s. 103, **Sch. 7 para. 46**; S.I. 1999/533, **art. 2(a)**
- F100** Sch. 1 Pt. I para. 36A renumbered as para. 36A(a) (1.4.1998) by 1997 c. 50, s. 134(1), **Sch. 9 para. 70**; S.I. 1998/354, **art. 2(2)(ay)**
- F101** Word in Sch. 1 para. 36A repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174(2), 178(8), Sch. 4 para. 62, Sch. 17 Pt. 2; S.I. 2006/378, **art. 4(1)**, Sch. paras. 10, 13(v) (subject to para. 4(2)-(7))
- F102** Sch. 1 para. 36A(b) repealed (1.4.2006) by Serious Organised Crime and Police Act 2005 (c. 15), ss. 59, 174(2), 178(8), Sch. 4 para. 62, Sch. 17 Pt. 2; S.I. 2006/378, **art. 4(1)**, Sch. paras. 10, 13(v) (subject to para. 4(2)-(7))
- F103** Sch. 1 Pt. I para. 38(c) inserted (1.4.1997) by 1996 c. 14, s. 131(1), **Sch. 10 para. 25** (with s. 72(5)); S.I. 1997/305, **art. 2(1)**
- F104** Sch. 1 Pt. I para. 40(c) inserted (21.4.2003) by The Tribunals and Inquiries (Road User Charging Adjudicators) (London) Order 2003 (S.I. 2003/756), **art. 2**
- F105** Sch. 1 Pt. I para. 40(d) inserted (1.11.2005) by The Tribunals and Inquiries (Bus Lane Adjudicators) (England) Order 2005 (S.I. 2005/2758), **art. 2**
- F106** Sch. 1 Pt. I para. 40A inserted (17.12.1992) by Sea Fish (Conservation) Act 1992 (c. 60), s. 9(3) (with s. 11(4)).
- F107** Sch. 1 Pt. I para. 40B inserted (1.9.2002) by 2001 c. 10, ss. 42(1), **Sch. 8 Pt. 2 para. 22** (with s. 43(13)); S.I. 2002/2217 arts. 3, 4, Sch. 1 Pt. I
- F108** Sch. 1 Pt. I para. 40B: the existing entry becomes sub-para. (a) and sub-para. (b) inserted (31.3.2003) by virtue of 2002 c. 32, ss. 195, 216, **Sch. 18 para. 15(a)(b)**; S.I. 2002/3185, art. 5, **Sch. Pt. II**
- F109** Sch. 1 Pt. I para. 41(a) substituted (4.3.1999, 6.9.1999, 5.10.1999, 18.10.1999, 29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, s. 86(1), **Sch. 7 para. 121(2)(a)**; S.I. 1999/528, art. 2, **Sch.**;



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S.I. 1999/2422, art. 2(c), **Sch. 1**; S.I. 1999/2739, art. 2, **Sch. 1**; S.I. 1999/2860, art. 2(c), **Sch. 1**; S.I. 1999/3178, art. 2(1)(2), **Sch. 1**

**F110** Sch. 1 Pt. I para. 41(b)(c)(e) ceased to have effect (4.3.1999, 18.10.1999, 29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, s. 86(1), **Sch. 7 para. 121(2)(b)**; S.I. 1999/528, art. 2, **Sch.**; S.I. 1999/2860, art. 2(c), **Sch. 1**; S.I. 1999/3178, art. 2(1)(2), **Sch. 1** and is expressed to be repealed (29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87, **Sch. 8**; S.I. 1999/3178, art. 2(1)(2), **Sch. 1**

**F111** Words in Sch. 1 Pt. I para. 41(d) substituted (4.3.1999, 6.9.1999, 5.10.1999, 29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, s. 86(1), **Sch. 7 para. 121(2)(c)**; S.I. 1999/528, art. 2, **Sch.**; S.I. 1999/2422, art. 2(c), **Sch. 1**; S.I. 1999/2739, art. 2, **Sch. 1**; S.I. 1999/3178, art. 2(1)(2), **Sch. 1**

**F112** Sch. 1 Pt. I para. 44 substituted (1.7.1994) by 1994 c. 9, s. 7(6) (with s. 19(3)); S.I. 1994/1690, **art. 2**

**F113** Sch. 1 Pt. I para. 44: words “12 to the Value Added Tax Act 1994” substituted for “8 to the Value Added Tax Act 1983” by 1994 c. 23, ss. 100(1), 101(1), **Sch. 14 para. 12** (with Sch. 13 para. 9)

**F114** Sch. 1 Pt. 1 para. 45 repealed (25.7.2003 for specified purposes and 29.12.2003 for further specified purposes) by Communications Act 2003 (c. 21), ss. 406, 411(2)(3), **Sch. 19(1)**, Note 1 (with Sch. 18); S.I. 2003/1900, **arts. 1(2), 2(1), 3-6** (as amended by S.I. 2003/3142, **art. 1(3)**); S.I. 2003/3142, **arts. 1(2), 3(2)**

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

**C22** Sch. 1 Pt. I para. 34 amended (31.10.1994) by 1994 c. 26, s. 106(1), **Sch. 4 para. 1(2)**; S.I. 1994/2550, **art. 2**

Sch. 1 Pt. I para. 40(b) modified (5.10.1998) by S.I. 1998/1539, **art. 6**

**C23** Sch. 1 Pt. I para. 40(b) modified (S.) (4.10.1999) by S.S.I. 1999/59, **art. 6**

**C24** Sch. 1 Pt. I para. 40(b) modified (S.) (3.3.2003) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Aberdeen City Council) Designation Order 2003 (S.S.I. 2003/70), **art. 6**

**C25** Sch. 1 Pt. I para. 40(b) modified (S.) (7.2.2005) by The Road Traffic (Permitted Parking Area and Special Parking Area) (South Lanarkshire Council) Designation Order 2005 (S.S.I. 2005/11), **art. 6**

**C26** Sch. 1 para. 40(b) modified (S) (1.4.2004) by The Road Traffic (Permitted Parking Area and Special Parking Area) (Dundee City Council) Designation Order 2004 (S.S.I. 2004/87), **art. 6**

#### Marginal Citations

**M11** S.I. 1995/490.

**M12** S.I. 2002/458.

**M13** S.I. 1992/664

**M14** 2000 c. 38.

## PART II

### TRIBUNALS UNDER SUPERVISION OF SCOTTISH COMMITTEE

Matters with which tribunal concerned	Tribunal and statutory authority
<b>F115</b>	<b>F115</b>
Betting levy	47. An appeal tribunal for Scotland established under section 29 of the Betting, Gaming and Lotteries Act 1963 (c. 2).
[ <sup>F116</sup> Charities	47A Any Scottish Charity Appeals Panel constituted in accordance with section 75(1) of the

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	Charities and Trustee Investment (Scotland) Act 2005 (asp 10).]
Crofters	48. The Crofters Commission constituted under section 1 of the Crofters (Scotland) Act 1955 (c. 21).
Dairy produce quotas	[ <sup>F117</sup> 49 The Dairy Produce Quota Tribunal for Scotland re-constituted under regulation 7(1) (b) of the Dairy Produce Quotas (General Provisions) Regulations 2002 (S.I. 2002/458).]
Education	50. (a) Independent Schools Tribunals constituted under section 100 of, and Schedule 2 to, the Education (Scotland) Act 1980 (c. 44);  (b) appeal committees set up under section 28D of that Act;  [ <sup>F118</sup> (ba) Additional Support Needs Tribunals for Scotland constituted under section 17(1) of the Education (Additional Support for Learning) (Scotland) Act 2004 (asp 4).]  [ <sup>F119</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 (c. 39).]
Employment	51. The [ <sup>F120</sup> employment tribunals] for Scotland established under [ <sup>F121</sup> section 1(1) of [ <sup>F120</sup> the Employment Tribunals Act 1996] (c. 17)].
Food	52. Tribunals constituted in accordance with regulations under Part II of the Food Safety Act 1990 (c. 16), being tribunals appointed for Scotland.
Forestry	53. Committees appointed for the purposes of section 16, 17B, 20, 21 or 25 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.
Land	54. The Lands Tribunal for Scotland constituted under section 1(1)(a) of the Lands Tribunal Act 1949 (c. 42).
[ <sup>F122</sup> Mental health	54A. The Mental Health Tribunal for Scotland constituted under section 21 of

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	the Mental Health (Care and Treatment) (Scotland) Act 2003 (asp 13).]
Misuse of drugs	55. The Misuse of Drugs Tribunal for Scotland constituted under Part I of Schedule 3 to the Misuse of Drugs Act 1971 (c. 38).
National Health Service	56. (a) Health Boards and joint committees of those Boards constituted under section 2 of the National Health Service (Scotland) Act 1978 (c. 29); (b) the tribunal constituted under section 29 of that Act; (c) service committees of a Health Board or a joint committee of Health Boards, being committees constituted in accordance with regulations made under that Act; (d) 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). [ <sup>F123</sup> (e) the appeal tribunal established by regulations under section 8(6)(b) of the Road Traffic (NHS Charges) Act 1999.]
Pensions	57. (a) Pensions Appeal Tribunals for Scotland established under section 8 of the War Pensions (Administrative Provisions) Act 1919 (c. 53); (b) Pensions Appeal Tribunals constituted under the Pensions Appeal Tribunals Act 1943 (c. 39), being tribunals appointed for Scotland; (c) tribunals appointed under regulations under section 1 of the Police Pensions Act 1976 (c. 35) 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 H6(10) of the Police Pensions Regulations 1987 (S.I. 1987/257), or in the corresponding regulation of any regulations amending or having effect in place of those regulations.
[ <sup>F124</sup> Police	57A. An appeals tribunal constituted in accordance with Schedule 3 to the Police (Scotland) Act 1967 (c. 77) .]

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Rates	58. Valuation appeal committees constituted in accordance with [ <sup>F125</sup> section 29 of the Local Government etc. (Scotland) Act 1994.]
Rents	59. Rent assessment committees constituted in accordance with Schedule 4 to the Rent (Scotland) Act 1984 (c. 58).
Revenue	60. 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	61. (a) Any children’s hearing constituted and arranged in pursuance of the [ <sup>F126</sup> Children (Scotland) Act 1995 (c.36)]; <sup>F127</sup> (b) . . .
Taxi fares	62. The traffic commissioner for the Scottish Traffic Area as constituted for the purpose of the Public Passenger Vehicles Act 1981 (c. 14) in respect of his functions under section 18 of the Civic Government (Scotland) Act 1982 (c. 45).
[ <sup>F128</sup> VAT and duties	<sup>F128</sup> 63. VAT and duties tribunals for Scotland constituted in accordance with Schedule [ <sup>F129</sup> 12 to the Value Added Tax Act 1994] (c. 55).]

### Textual Amendments

- F115** Sch. 1 Pt. 2 para. 46 repealed (S.) (27.11.2003) by [Agricultural Holdings \(Scotland\) Act 2003 \(asp 11\)](#), ss. 94, 95(3), [Sch. para. 48](#) (with s. 95(2)); S.S.I. 2003/548, [art. 2\(i\)](#) (with art. 3, Sch.)
- F116** Sch. 1 Pt. 2 para. 47A inserted (S.) (1.4.2006) by [Charities and Trustee Investment \(Scotland\) Act 2005 \(asp 10\)](#), ss. 104, 107(2), [Sch. 4 para. 10](#); S.S.I. 2006/189, [art. 2\(1\)](#), Sch. Pt. 1
- F117** Sch. 1 Pt. 2 para. 49 substituted (S.) (1.4.2004) by [The Tribunals and Inquiries \(Dairy Produce Quota Tribunal\) \(Scotland\) Order 2004 \(S.S.I. 2004/119\)](#), [art. 2](#)
- F118** Sch. 1 Pt. 2 para. 50(ba) inserted (S.) (14.11.2005) by [Education \(Additional Support for Learning\) \(Scotland\) Act 2004 \(asp 4\)](#), ss. 33, 35(1), [Sch. 3 para. 8](#); S.S.I. 2005/564, [art. 2](#)
- F119** Sch. 1 Pt. II para. 50(c) repealed (S.) (31.12.2004) by [2000 asp 6](#), ss. 60(2), 61(2), Sch. 3; S.S.I. 2004/528, [art. 2\(b\)](#)
- F120** Words in Sch. 1 Pt. II para. 51 substituted (1.8.1998) by [1998 c. 8](#), [s. 1\(2\)\(b\)](#) (with s. 16(2)); S.I. 1998/1658, [art. 2\(1\)](#), [Sch. 1](#)
- F121** Words in Sch. 1 Pt. II para. 51 substituted (22.8.1996) by [1996 c. 17](#), ss. 43, 46, [Sch. 1 para. 9\(3\)\(b\)](#) (with s. 38)
- F122** Sch. 1 Pt. II para. 54A inserted (S) (5.10.2005) by [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003 \(asp. 13\)](#), ss. 331(1), 333(2)-(4), [Sch. 4 para. 5](#); S.S.I. 2005/161, [art. 3](#) (as substituted by S.S.I. 2005/375, [art. 2](#) and as further amended by S.S.I. 2005/459, [art. 2](#))
- F123** Sch. 1 Pt. II para. 56(e) inserted (E.W.S.) (5.4.1999 for specified purposes otherwise *prosp.*) by [1999 c. 3](#), [s. 18\(4\)](#); S.I. 1999/1075, [art. 2](#)

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- F124** Sch. 1 Pt. II para. 57A inserted (1.8.1996) by 1994 c. 29, s. 44, **Sch. 5 para. 40(3)**; S.I. 1996/1646, art. 2, **Sch.**
- F125** Words in Sch. 1 Pt. II substituted (S.) (1.4.1996) by 1994 c. 39, s. 180(1), **Sch. 13 para. 178**; S.I. 1996/323, **art. 4(c)**
- F126** Words in Sch. 1 Pt. II para. 61(a) substituted (1.4.1997) by 1995 c. 36, s. 105(4), **Sch. 4 para. 55(a)** (with s. 103(1)); S.I. 1996/3201, **art. 3(7)**
- F127** Sch. 1 Pt. II para. 61(b) repealed (S.) (1.4.2002) by 2001 asp 8, ss. 80(1), **Sch. 4**; S.S.I. 2002/162, **art. 2(i)** (subject to arts. 3-13)
- F128** Sch. 1 Pt. II para. 63 substituted (1.7.1994) by 1994 c. 9, s. 7(7) (with s. 19(3)); S.I. 1994/1690, **art. 2**
- F129** Sch. 1 Pt. II para. 63: words “12 to the Value Added Tax Act 1994” substituted for “8 to the Value Added Tax Act 1983”(1.9.1994) by 1994 c. 23, ss. 100(1), 101(1), **Sch. 14 para. 12**

## SCHEDULE 2

Section 17.

### TRANSITORY PROVISIONS

#### *Transitory modifications of sections 6 and 7 and Schedule 1*

- [<sup>F130</sup>1 If—
- (a) no date has been appointed before the commencement of this Act as the date on which paragraph 37 of Schedule 15 to the <sup>M15</sup>Criminal Justice Act 1988 is to come into force, or
  - (b) a date has been appointed which is later than the commencement of this Act,
- paragraph 12 of Schedule 1 and the word “12” in section 7(2) shall be omitted until the appointed day.]

#### Textual Amendments

**F130** Sch. 2 para. 1 repealed (E.W.S) (8.11.1995) by 1995 c. 53, s. 12(7), **Sch.**

#### Marginal Citations

**M15** 1988 C. 33.

- 2 If—
- (a) no date has been appointed before the commencement of this Act as the date on which paragraph 2 of Schedule 18 to the <sup>M16</sup>Courts and Legal Services Act 1990 is to come into force, or
  - (b) a date has been appointed which is later than the commencement of this Act,
- paragraph 10 of Schedule 1 shall be omitted until the appointed day.

#### Marginal Citations

**M16** 1990 c. 41.

<sup>F131</sup>3 .....

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#### Textual Amendments

**F131** Sch. 2 para. 3 repealed (1.6.1999) by 1998 c. 14, s. 86(1)(2), Sch. 7 para. 122(1), **Sch. 8**; S.I. 1999/1510, art. 2(f)(v)(g)(vii)

- 4 In paragraphs 1, 2 and 3 “the appointed day” means
- (a) in the case mentioned in paragraph [F1321(a) or 2(a)], such day as may be appointed by the Secretary of State for the purposes of the paragraph concerned by order made by statutory instrument, and
  - (b) in the case mentioned in paragraph [F1331(b) or 2(b)], the day appointed as the day on which the provision mentioned in paragraph [F1341(a) or 2(a)] (as the case may be) is to come into force.

#### Textual Amendments

**F132** Words in Sch. 2 para. 4(a) substituted (1.6.1999) by 1998 c. 14, s. 86(1), **Sch. 7 para. 122(2)(a)**; S.I. 1999/1510, art. 2(g)(vii)

**F133** Words in Sch. 2 para. 4(b) substituted (1.6.1999) by 1998 c. 14, s. 86(1), **Sch. 7 para. 122(2)(b)**; S.I. 1999/1510, art. 2(g)(vii)

**F134** Words in Sch. 2 para. 4(b) substituted (1.6.1999) by 1998 c. 14, s. 86(1), **Sch. 7 para. 122(2)(b)**; S.I. 1999/1510, art. 2(g)(vii)

#### *Application of section 6 in relation to persons appointed before 1st January 1959*

F1355 .....

#### Textual Amendments

**F135** Sch. 2 para. 5 repealed (19.11.1998) by 1998 c. 43, s. 1(1), **Sch. 1 Pt. I** Group 2

### SCHEDULE 3

Section 18(1).

### CONSEQUENTIAL AMENDMENTS

#### *The Land Compensation Act 1961 (c. 33)*

- 1 In section 21(1) of the Land Compensation Act 1961, for “the Tribunals and Inquiries Act 1971 (or any enactment replaced thereby)” there is substituted “ the Tribunals and Inquiries Act 1992 (or any enactment replaced thereby) ”.

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

F1362 .....

#### Textual Amendments

**F136** Sch. 3 para. 2 repealed (8.5.1998) by 1997 c. 66, s. 52, **Sch. 4**; S.I. 1998/1028, art. 2

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*The Town and Country Planning (Scotland) Act 1972 (c. 52)*

F137<sup>3</sup> .....

**Textual Amendments**

F137 Sch. 3 para. 3 repealed (27.5.1997) by 1997 c. 11, ss. 3(1), 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F138<sup>4</sup> .....

**Textual Amendments**

F138 Sch. 3 para. 4 repealed (27.5.1997) by 1997 c. 11, ss. 3(1), 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F139<sup>5</sup> .....

**Textual Amendments**

F139 Sch. 3 para. 5 repealed (27.5.1997) by 1997 c. 11, ss. 3(1), 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F140<sup>6</sup> .....

**Textual Amendments**

F140 Sch. 3 para. 6 repealed (27.5.1997) by 1997 c. 11, ss. 3(1), 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F141<sup>7</sup> .....

**Textual Amendments**

F141 Sch. 3 para. 7 repealed (27.5.1997) by 1997 c. 11, ss. 3(1), 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

F142<sup>g</sup> .....

**Textual Amendments**

F142 Sch. 3 para. 8 repealed (27.5.1997) by 1997 c. 11, ss. 3(1), 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)

*The Health and Safety at Work etc. Act 1974 (c. 37)*

- 9 In section 44(4) of the Health and Safety at Work etc. Act 1974—
- (a) for “1971” there is substituted “ 1992 ”, and
  - (b) for “section 12(1)” there is substituted “ section 10(1) ”.

*The Friendly Societies Act 1974 (c. 46)*

- 10 In section 76(1) of the Friendly Societies Act 1974, for “section 14 of the Tribunals and Inquiries Act 1971” there is substituted “ section 12 of the Tribunals and Inquiries Act 1992 ”.

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*The House of Commons Disqualification Act 1975 (c. 24)*

- 11 In Part III of Schedule 1 to the House of Commons Disqualification Act 1975, in the entry beginning “A member of a panel appointed under section 7 of the Tribunals and Inquiries Act 1971”, for “section 7 of the Tribunals and Inquiries Act 1971” there is substituted “ section 6 of the Tribunals and Inquiries Act 1992 ”.

*The Ancient Monuments and Archaeological Areas Act 1979 (c. 46)*

- 12 In section 55(6)(b) of the Ancient Monuments and Archaeological Areas Act 1979 for “1971” there is substituted “ 1992 ”.

*The Housing Act 1980 (c. 51)*

- 13 F143 .....

**Textual Amendments**

**F143** Sch. 3 para. 13 repealed (30.9.2003 for E. and 30.3.2004 for W.) by 2002 c. 15, ss. 180, 181(1), Sch. 14; S.I. 2003/1986, art. 2(c)(iv), Sch. 1 (with Sch. 2); S.I. 2004/669, art. 2(c)(iv), Sch. 1 Pt. 1 (with Sch. 2)

*The Acquisition of Land Act 1981 (c. 67)*

- 14 In section 23(3)(b) of the Acquisition of Land Act 1981 for “1971” there is substituted “ 1992 ”.

*The Road Traffic Regulation Act 1984 (c. 27)*

- 15 In paragraph 18(2) of Schedule 4 to the Road Traffic Regulation Act 1984—  
(a) for “section 13 of the Tribunals and Inquiries Act 1971” there is substituted “ section 11 of the Tribunals and Inquiries Act 1992 ”, and  
(b) for “and (3)” there is substituted “ and (4) ”.

*The Roads (Scotland) Act 1984 (c. 54)*

- 16 In section 139(3) of the Roads (Scotland) Act 1984, for “1971” there is substituted “ 1992 ”.

*The Finance Act 1985 (c. 54)*

- F144 17 .....

**Textual Amendments**

**F144** Sch. 3 para. 17 repealed (1.9.1994) by 1994 c. 23, ss. 100(2), 101(1), Sch. 15

*The Agricultural Holdings Act 1986 (c. 5)*

- 18 F145 .....



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**Textual Amendments**

**F145** Sch. 3 para. 18 repealed (19.10.2006) by [The Regulatory Reform \(Agricultural Tenancies\) \(England and Wales\) Order 2006 \(S.I. 2006/2805\)](#), arts. 1(1), 18, **Sch. 2** (with art. 10)

*The Insolvency Act 1986 (c. 45)*

19 In paragraph 1(2) of Schedule 7 to the Insolvency Act 1986 for “section 8 of the Tribunals and Inquiries Act 1971” there is substituted “ section 7 of the Tribunals and Inquiries Act 1992 ”.

*The Legal Aid (Scotland) Act 1986 (c. 47)*

20 In section 6(2) of the Legal Aid (Scotland) Act 1986, in the definition of “statutory inquiry”, for “section 19(1) of the Tribunals and Inquiries Act 1971” there is substituted “ section 16(1) of the Tribunals and Inquiries Act 1992 ”.

*The Legal Aid Act 1988 (c. 34)*

<sup>F146</sup>21 .....

**Textual Amendments**

**F146** Sch. 3 para. 21 repealed (1.4.2000) by [1999 c. 22, s. 106, Sch. 15 Pt. I](#) (with s. 107, [Sch. 14 paras. 7\(2\), 36\(9\)](#)); [S.I. 2000/774, art. 2\(c\)\(i\)](#), **Sch.** (with art. 5)

*The Town and Country Planning Act 1990 (c. 8)*

22 In section 16(3) of the Town and Country Planning Act 1990—  
    (a) for “1971” there is substituted “ 1992 ”, and  
    (b) for “section 12(1)” there is substituted “ section 10(1) ”.

23 In sections 20(7) and 35(8) of that Act for “1971” there is substituted “ 1992 ”.

24 In section 42(6) of that Act—  
    (a) for “1971” there is substituted “ 1992 ”, and  
    (b) for “section 12(1)” there is substituted “ section 10(1) ”.

25 In section 288(9) of that Act for “1971” there is substituted “ 1992 ”.

26 In section 323(1) of that Act for “section 11 of the Tribunals and Inquiries Act 1971” there is substituted “ section 9 of the Tribunals and Inquiries Act 1992 ”.

27 In paragraph 9(1)(b) of Part II of Schedule 2 to that Act—  
    (a) for “1971” there is substituted “ 1992 ”, and  
    (b) for “section 12(1)” there is substituted “ section 10(1) ”.

28 In paragraph 8(1) of Schedule 6 to that Act—  
    (a) for “1971” there is substituted “ 1992 ”, and  
    (b) for “section 12(1)” there is substituted “ section 10(1) ”.

29 In paragraph 8(6) of Schedule 7 to that Act—  
    (a) for “1971” there is substituted “ 1992 ”, and

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(b) for “section 12(1)” there is substituted “ section 10(1) ”.

30 In paragraph 5(3) of Schedule 8 to that Act for “1971” there is substituted “ 1992 ”.

*The Planning (Listed Buildings and Conservation Areas) Act 1990 (c. 9)*

31 In section 63(6) of the Planning (Listed Buildings and Conservation Areas) Act 1990 for “1971” there is substituted “ 1992 ”.

32 In paragraph 7(1) of Schedule 3 to that Act—

(a) for “1971” there is substituted “ 1992 ”, and

(b) for “section 12(1)” there is substituted “ section 10(1) ”.

*The Planning (Hazardous Substances) Act 1990 (c. 10)*

33 In section 22(4) of the Planning (Hazardous Substances) Act 1990 for “the Tribunals and Inquiries Act 1971” there is substituted “ the Tribunals and Inquiries Act 1992 ”.

34 In paragraph 7(1) of the Schedule to that Act—

(a) for “1971” there is substituted “ 1992 ”, and

(b) for “section 12(1)” there is substituted “ section 10(1) ”.

*The Courts and Legal Services Act 1990 (c. 41)*

35 In section 119(1) of the Courts and Legal Services Act 1990, in the definition of “court”, in paragraph (c), for “section 19(1) of the Tribunals and Inquiries Act 1971” there is substituted “ section 16(1) of the Tribunals and Inquiries Act 1992 ”.

*The Social Security Administration Act 1992 (c. 5)*

[<sup>F147</sup>36 In sections 41(4)(c), 43(5)(c) and 50(4)(c) of the Social Security Administration Act 1992 for “section 7 of the Tribunals and Inquiries Act 1971” there is substituted “ section 6 of the Tribunals and Inquiries Act 1992 ”.]

**Textual Amendments**

**F147** Sch. 3 para. 36 repealed (29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, ss. 86(2), 87, Sch. 8; S.I. 1999/3178, art. 2(1)(2), Sch. 1

37 In paragraphs 9 and 14 of Schedule 7 to that Act for “section 10(1) of the Tribunals and Inquiries Act 1971” there is substituted “ section 8(1) of the Tribunals and Inquiries Act 1992 ”.

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## SCHEDULE 4

Section 18(2).

### REPEALS

#### PART I

#### ENACTMENTS REPEALED

<b>Chapter</b>	<b>Short title</b>	<b>Extent of repeal</b>
1971 c. 62.	The Tribunals and Inquiries Act 1971.	The whole Act.
1972 c. 11.	The Superannuation Act 1972.	In Schedule 6, paragraph 91.
1972 c. 58.	The National Health Service (Scotland) Act 1972.	In Schedule 6, paragraph 152.
1973 c. 32.	The National Health Service Reorganisation Act 1973.	In Schedule 4, paragraph 134.
1973 c. 38.	The Social Security Act 1973.	Section 66(4) and (9).
1974 c. 39.	The Consumer Credit Act 1974.	Sections 3 and 42.
1975 c. 18.	The Social Security (Consequential Provisions) Act 1975.	In Schedule 2, paragraph 46.
1975 c. 68.	The Industry Act 1975.	In Schedule 3, paragraph 10.
1976 c. 35.	The Police Pensions Act 1976.	In Schedule 2, paragraph 9.
1977 c. 3.	The Aircraft and Shipbuilding Industries Act 1977.	Section 42(10).
1977 c. 49.	The National Health Service Act 1977.	In Schedule 15, paragraph 53.
1978 c. 23.	The Judicature (Northern Ireland) Act 1978.	In Schedule 5, in Part II, the entry relating to the Tribunals and Inquiries Act 1971.
1978 c. 29.	The National Health Service (Scotland) Act 1978.	In Schedule 16, paragraph 35.
1978 c. 44.	The Employment Protection (Consolidation) Act 1978.	In Schedule 16, paragraph 11.
1979 c. 38.	The Estate Agents Act 1979.	Section 24(1).
1980 c. 20.	The Education Act 1980.	Section 7(6).
1980 c. 44.	The Education (Scotland) Act 1980.	Section 28E(7).

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1981 c. 54.	The Supreme Court Act 1981.	In Schedule 5, the entry relating to the Tribunals and Inquiries Act 1971.
1982 c. 10.	The Industrial Training Act 1982.	In Schedule 3, paragraph 2.
1982 c. 16.	The Civil Aviation Act 1982.	Section 7(3).
1982 c. 45.	The Civic Government (Scotland) Act 1982.	Section 18(11).
1983 c. 20.	The Mental Health Act 1983.	In Schedule 4, paragraph 29.
1983 c. 41.	The Health and Social Services and Social Security Adjudications Act 1983.	In Schedule 9, in Part I, paragraphs 10, 11 and 15.
1984 c. 23.	The Registered Homes Act 1984.	In Schedule 1, paragraph 5.
1984 c. 31.	The Rating and Valuation (Amendment) (Scotland) Act 1984.	In Schedule 2, paragraph 12.
1984 c. 35.	The Data Protection Act 1984.	In Schedule 2, paragraph 13.
1985 c. 17.	The Reserve Forces (Safeguard of Employment) Act 1985.	In Schedule 4, paragraph 3.
1985 c. 65.	The Insolvency Act 1985.	In Schedule 1, paragraph 5.
1985 c. 67.	The Transport Act 1985.	In Schedule 2, in Part II, paragraph 2. In Schedule 7, paragraph 15.
1986 c. 5.	The Agricultural Holdings Act 1986.	In Schedule 14, paragraph 49.
1986 c. 39.	The Patents, Designs and Marks Act 1986.	In Schedule 2, in Part I, paragraph 1(2)(d).
1986 c. 45.	The Insolvency Act 1986.	In Schedule 14, the entry relating to the Tribunals and Inquiries Act 1971.
1986 c. 53.	The Building Societies Act 1986.	In section 48(3), the words “after consultation with the Council on Tribunals”.
1986 c. 60.	The Financial Services Act 1986.	In Schedule 6, paragraph 6.
1987 c. 22.	The Banking Act 1987.	In section 30, in subsection (3), the words “after consultation with the Council on Tribunals” and,

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		in subsection (4), the words from “after consultation” onwards.
		In Schedule 6, paragraph 4.
1988 c. 33.	The Criminal Justice Act 1988.	In Schedule 15, paragraph 37.
1988 c. 40.	The Education Reform Act 1988.	In Schedule 12, in Part I, paragraph 12.
1988 c. 41.	The Local Government Finance Act 1988.	In Schedule 12, in Part III, paragraph 41.
1988 c. 48.	The Copyright, Designs and Patents Act 1988.	In Schedule 7, paragraph 14.
1989 c. 39.	The Self-Governing Schools etc. (Scotland) Act 1989.	In Schedule 10, paragraph 4.
1989 c. 41.	The Children Act 1989.	In Schedule 13, paragraph 30.
1990 c. 16.	The Food Safety Act 1990.	In Schedule 3, paragraph 14.
1990 c. 27.	The Social Security Act 1990.	Section 12(2).
1990 c. 41.	The Courts and Legal Services Act 1990.	In Schedule 18, paragraph 2.
1991 c. 21.	The Disability Living Allowance and Disability Working Allowance Act 1991.	In Schedule 2, paragraph 2(1).
1991 c. 40.	The Road Traffic Act 1991.	In Schedule 7, paragraph 1.
1991 c. 48.	The Child Support Act 1991.	In Schedule 5, paragraph 1.
1992 c. 6.	The Social Security (Consequential Provisions) Act 1992.	In Schedule 2, paragraphs 8 and 9.
1992 c. 14.	The Local Government Finance Act 1992.	In Schedule 13, paragraph 31.
1992 c. 38.	The Education (Schools) Act 1992.	In Schedule 4, paragraphs 2 and 3.

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## PART II

### INSTRUMENTS REVOKED

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Number	Title
S.I. 1972/1210.	The Tribunals and Inquiries (Value Added Tax Tribunals) Order 1972.

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S.I. 1974/1478.	The Tribunals and Inquiries (Industrial Training Levy Exemption Referees) Order 1974.
S.I. 1974/1964.	The Tribunals and Inquiries (Misuse of Drugs Tribunals) Order 1974.
S.I. 1975/1404.	The Tribunals and Inquiries (Valuation Appeal Committees) Order 1975.
S.I. 1979/659.	The Tribunals and Inquiries (Vaccine Damage Tribunals) Order 1979.
S.I. 1984/1094.	The Tribunals and Inquiries (Dairy Produce Quota Tribunals) Order 1984.
S.I. 1984/1247.	The Tribunals and Inquiries (Foreign Compensation Commission) Order 1984.
S.I. 1991/2699.	The Tribunals and Inquiries (Specified Tribunals) Order 1991.

#### TABLE OF DERIVATIONS

##### Notes:

1. The following abbreviations are used in this Table:—

1971	= The Tribunals and Inquiries Act 1971 (c. 62)
1972 c. 11	= The Superannuation Act 1972 (c. 11)
1973 c. 36	= The Northern Ireland Constitution Act 1973 (c. 36)
1973 c. 38	= The Social Security Act 1973 (c. 38)
1974 c. 39	= The Consumer Credit Act 1974 (c. 39)
1976 c. 35	= The Police Pensions Act 1976 (c. 35)
1978 c. 30	= The Interpretation Act 1978 (c. 30)
1978 c. 44	= The Employment Protection (Consolidation) Act 1978 (c. 44)
1979 c. 38	= The Estate Agents Act 1979 (c. 38)
1980 c. 20	= The Education Act 1980 (c. 20)
1981 c. 54	= The Supreme Court Act 1981 (c. 54)
1982 c. 10	= The Industrial Training Act 1982 (c. 10)
1982 c. 16	= The Civil Aviation Act 1982 (c. 16)
1983 c. 41	= The Health and Social Services and Social Security Adjudications Act 1983 (c. 41)
1984 c. 35	= The Data Protection Act 1984 (c. 35)
1985 c. 65	= The Insolvency Act 1985 (c. 65)

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1986 c. 53	= The Building Societies Act 1986 (c. 53)
1986 c. 60	= The Financial Services Act 1986 (c. 60)
1987 c. 22	= The Banking Act 1987 (c. 22)
1988 c. 33	= The Criminal Justice Act 1988 (c. 33)
1988 c. 48	= The Copyright, Designs and Patents Act 1988 (c. 48)
1990 c. 16	= The Food Safety Act 1990 (c. 16)
1990 c. 27	= The Social Security Act 1990 (c. 27)
1990 c. 41	= The Courts and Legal Services Act 1990 (c. 41)
1991 c. 21	= The Disability Living Allowance and Disability Working Allowance Act 1991 (c. 21)
1991 c. 40	= The Road Traffic Act 1991 (c. 40)
1991 c. 48	= The Child Support Act 1991 (c. 48)
1992 c. 6	= The Social Security (Consequential Provisions) Act 1992 (c. 6)
S.I. 1972/1210	= The Tribunals and Inquiries (Value Added Tax Tribunals) Order 1972
S.I. 1974/1478	= The Tribunals and Inquiries (Industrial Training Levy Exemption Referees) Order 1974
S.I. 1974/1964	= The Tribunals and Inquiries (Misuse of Drugs Tribunals) Order 1974
S.I. 1979/659	= The Tribunals and Inquiries (Vaccine Damage Tribunals) Order 1979
S.I. 1984/1094	= The Tribunals and Inquiries (Dairy Produce Quota Tribunal) Order 1984
S.I. 1984/1247	= The Tribunals and Inquiries (Foreign Compensation Commission) Order 1984
S.I. 1991/2699	= The Tribunals and Inquiries (Specified Tribunals) Order 1991

2. The Table does not show the effect of the Transfer of Functions (Secretary of State and Lord Advocate) Order 1972 (S.I. 1972/2002), which transferred the functions of the Secretary of State under sections 2, 4, 5, 11, 12, 15, 16 and 19 of the Tribunals and Inquiries Act 1971 to the Lord Advocate. 3. The Bill consolidates the effect of the current orders under s. 15(1), (2), (3) and (4) of 1971. The power to vary or revoke these orders conferred by s. 16(2) is preserved in relation to the provisions of the Bill derived from such orders by clause 13(5).

1(1)	1971 s. 1(1).
(2)	1971 s. 1(2); 1973 c. 36 s. 40(2).

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2	1971 s. 2.
3	1971 s. 3.
4	1971 s. 4.
5	1971 s. 5.
6(1), (2)	1971 s. 7(1), (2).
(3)	1971 s. 7(3); Supplementary Benefits Act 1976 (c. 71) Sch. 7 para. 22; Social Security (Miscellaneous Provisions) Act 1977 (c. 5) s. 22(15); 1983 c. 41 Sch. 9 para. 10; 1991 c. 21 Sch. 2 para. 2(1); 1991 c. 48 Sch. 5 para. 1(1); S.I. 1979/659 art. 3.
(4)	Social Security Administration Act 1992 (c. 5) ss: 41. 43. 50.
(5)—(7)	1971 s. 7(4)—(6).
(8)	1971 s. 7(7); Sch. 1 para. 45(a); 1984 c. 58 s. 115(2).
(9)	1971 s. 7(8).
7(1)	1971 s. 8(1).
(2)	1971 s. 8(2); 1979 c. 38 s. 24(1)(a); 1982 c. 16 s. 7(3)(b); 1984 c. 35 Sch. 2 para. 13(a); 1985 c. 65 Sch. 1 para. 5(2); 1986 c. 60 Sch. 6 para. 6(a); 1987 c. 22 Sch. 6 para. 4(1); 1988 c. 33 Sch. 15 para. 37(1); 1990 c. 27 s. 12(2)(b); 1992 c. 6 Sch. 2 para. 8.
(3)	1971 s. 8(3).
8(1)	1971 s. 10(1); S.I. 1984/1247 art. 3.
(2)	1986 c. 53 s. 48(3); 1987 c. 22 s. 30(3).
(3)	1971 s. 10(2); 1987 c. 22 s. 30(4).
(4)	1971 s. 10(3).
9	1971 s. 11.
10(1)—(7)	1971 s. 12.
(8)	1971 s. 16(2)
11(1)	1971 s. 13(1); 1980 c. 20 s. 7(6); 1983 c. 41 Sch. 9 Pt. I para. 11; 1985 c. 65 Sch. 1 para. 5(3); 1986 c. 60 Sch. 6 para. 6(b); Education (Schools) Act 1992 (c. 38) Sch. 4 para 2; S.I. 1972/1210 art. 3; S.I. 1974/1478 art. 3.
(2)	1971 s. 13(1A); 1978 c. 44 Sch. 16 para. 11.
(3)	1971 s. 13(2); 1981 c. 54 Sch. 5.
(4)	1971 s. 13(3).



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(5)	1971 s. 13(4).
(6)	1971 s. 13(5A); 1974 c. 39 s. 42(1).
(7)	1971 s. 13(6); 1974 c. 39 s. 42(2); Rating and Valuation (Amendment) (Scotland) Act 1984 (c. 31) Sch. 2 para. 12.
(8)	1971 s. 13(7); 1974 c. 39 s. 42(3); Judicature (Northern Ireland) Act 1978 (c. 23) Sch. 5.
(9)	1971 s. 13(8).
(10)	1971 s. 13(9).
12	1971 s. 14.
13(1)—(4)	1971 s. 15(1)—(4)
(5)	1971 s. 15(5). See Note 3 above.
(6)	1971 s. 15(6).
14(1)	1971 s. 19(4); 1974 c. 39 s. 3(b); 1979 c. 38 s. 24(1)(a); 1984 c. 35 Sch. 2 para. 13(b); S.I. 1984/1247 art. 4.
(2)	1973 c. 38 s. 66(4) and (9).
(3)	1982 c. 16 s. 7(3)(c).
15	1971 s. 16(1).
16	1971 s. 19(1)—(3).
17	Introduces Sch. 2.
18(1)	Introduces Sch. 3
(2)	Introduces Sch. 4.
(3)	1971 Sch. 3.
19	
Sch. 1 para. 1	1971 Sch. 1 para. 1; Agricultural Holdings Act 1986 (c. 5) Sch. 14 para. 49.
para. 2	1971 Sch. 1 para. 1A; Aircraft and Shipbuilding Industries Act 1977 (c. 3) s. 42(10).
para. 3	1982 c. 16 s. 7(3)(a).
para. 4	1971 Sch. 1 para. 2A; 1987 c. 22 Sch. 6 para. 4(2).
para. 5	1971 Sch. 1 para. 3.
para. 6	S.I. 1991/2699 art. 2(b).
para. 7	1971 Sch. 1 para. 4A; 1991 c. 48 Sch. 5 para. 1(2).
para. 8	1971 Sch. 1 paras. 4, 21A, 28A; 1983 c. 41 Sch. 9 paras. 12, 13, 14; Registered Homes

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	Act 1984 (c. 23) Sch. 1 para. 5(a); Children Act 1989 (c. 41) Sch. 13 para. 30.
para. 9	1971 Sch. 1 para. 5
para. 10	1971 Sch. 1 para. 5AA; 1990 c. 41 Sch. 18 para. 2.
para. 11	1971 Sch. 1 para. 5A; 1988 c. 48 Sch. 7 para. 14.
para. 12	1971 Sch. 1 para. 5B; 1988 c. 33 Sch. 15 para. 37(2).
para. 13	S.I. 1984/1094 art. 2; 1978 c. 30 ss. 17(2)(a), 23.
para. 14	1971 Sch. 1 para. 5B; 1984 c. 35 Sch. 2 para. 13(c); 1988 c. 33 Sch. 15 para. 37(2).
para. 15	1971 Sch. 1 para. 6; 1980 c. 20 s. 7(6); Education Reform Act 1988 (c. 40) Sch. 12 Part I para. 12; Education (Schools) Act 1992 (c. 38) Sch. 4 para. 3.
para. 16	1971 Sch. 1 para. 10; 1982 c. 10 Sch. 3 para. 2.
para. 17	1971 Sch. 1 para. 6A; 1979 c. 38 s. 24(1)(b).
para. 18	1971 Sch. 1 para. 6B; 1986 c. 60 Sch. 6 para. 6(c).
para. 19	1971 Sch. 1 para. 6C; 1990 c. 16 Sch. 3 para. 14(1).
para. 20	S.I. 1984/1247 art. 2.
para. 21	1971 Sch. 1 para. 7; S.I. 1991/2699 art. 2(a).
para. 22	1971 Sch. 1 para. 8; 1978 c. 30 s. 17(2)(a).
para. 23	1971 Sch. 1 para. 9; 1978 c. 30 s. 17(2)(a).
para. 24	S.I. 1974/1478 art. 2.
para. 25	1971 Sch. 1 para. 9A; Industry Act 1975 (c. 68) Sch. 3 para. 10.
para. 26	1971 Sch. 1 para. 10A; 1985 c. 65 Sch. 1 para. 5(4); Insolvency Act 1986 (c. 45) Sch. 14.
para. 27	1971 Sch. 1 para. 12.
para. 28	1971 Sch. 1 para. 12A; Local Government Finance Act 1988 (c. 41) Sch. 12 Pt. III para. 41; Local Government Finance Act 1992 (c. 14) Sch. 13 para. 31.
para. 29	1971 Sch. 1 para. 13.
para. 30	1971 Sch. 1 para. 14; Mental Health Act 1983 (c. 20) Sch. 4 para. 29.

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para. 31	1971 Sch. 1 para. 16.
para. 32	S.I. 1974/1964 art. 3.
para. 33	1971 Sch. 1 para. 17; National Health Service Reorganisation Act 1973 (c. 32) Sch. 4 para. 134; National Health Service Act 1977 (c. 49) Sch. 15 para. 53; National Health Service and Community Care Act 1990 (c. 19) s. 2(1)(b).
para. 34	1971 Sch. 1 para. 22; Patents, Designs and Marks Act 1986 (c. 39) Sch. 2 Part I para. 1(2)(d).
para. 35(a), (b)	1971 Sch. 1 para. 23(a), (b).
(c)	1971 Sch. 1 para. 23(d)
(d)	1973 c. 38 s. 66(4), (9).
(e)	1971 Sch. 1 para. 23(e); Social Security Act 1990 (c. 27) s. 12(2)(a).
(f)	1971 Sch. 1 para. 23(c); 1972 c. 11 Sch. 6 para. 91(a); 1976 c. 35 Sch. 2 para. 9.
para. 36	1971 Sch. 1 para. 25; European Communities Act 1972 (c. 68) Sch. 4 para. 5(6).
para. 37	1971 Sch. 1 para. 28(b).
para. 38	1971 Sch. 1 para. 19(e), (f); Reserve Forces (Safeguard of Employment) Act 1985 (c. 17) Sch. 4 para. 3.
para. 39	1971 Sch. 1 para. 29(a), (b), (d); 1978 c. 30 s. 17(2)(a).
para. 40	1971 Sch. 1 para. 30; Transport Act 1985 (c. 67) Sch. 2 Part II para. 2(2); 1991 c. 40 Sch. 7 para. 1.
para. 41	1971 Sch. 1 para. 30A; Social Security (Consequential Provisions) Act 1975 (c. 16) Sch. 2 para. 46; 1992 c. 6 Sch. 2 para. 9.
para. 42	1971 Sch. 1 para. 31; Transport Act 1985 (c. 67) Sch. 7 para. 15.
para. 43	S.I. 1979/659 art. 2.
para. 44	S.I. 1972/1210 art. 2(a).
para. 45	1971 Sch. 1 para. 32.
para. 46	1971 Sch. 1 para. 33; 1978 c. 30 s. 17(2)(a).
para. 47	1971 Sch. 1 para. 34.
para. 48	1971 Sch. 1 para. 35.

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para. 49	S.I. 1984/1094 art. 2; 1978 c. 30 s. 17(2)(a), 23(2).
para. 50	1971 Sch. 1 para. 36; 1978 c. 30 s. 17(2)(a); Education (Scotland) Act 1980 (c. 44) s. 28E(7); Education (Scotland) Act 1981 (c. 58) s. 1(1); Self-Governing Schools etc. (Scotland) Act 1989 (c. 39) Sch. 10 para. 4.
para. 51	1971 Sch. 1 para. 38; 1982 c. 10 Sch. 3 para. 2.
para. 52	1971 Sch. 1 para. 36A; 1990 c. 16 Sch. 3 para. 14(2).
para. 53	1971 Sch. 1 para. 37; S.I. 1991/2699 art. 3(a).
para. 54	1971 Sch. 1 para. 39.
para. 55	S.I. 1974/1964 art. 3.
para. 56	1971 Sch. 1 para. 41; National Health Service (Scotland) Act 1972 (c. 58) Sch. 6 para. 152; National Health Service (Scotland) Act 1978 (c. 29) Sch. 16 para. 35; S.I. 1991/2699 art. 3(b).
para. 57	1971 Sch. 1 para. 43; 1972 c. 11 Sch. 6 para. 91(b); 1976 c. 35 Sch. 2 para. 9.
para. 58	Tribunals and Inquiries (Valuation Appeal Committees) Order 1975 (S.I. 1975/1404) art. 3.
para. 59	1971 Sch. 1 para. 45; Rent (Scotland) Act 1984 (c. 58) Sch. 8 Part I para. 1.
para. 60	1971 Sch. 1 para. 46.
para. 61	1971 Sch. 1 para. 47.
para. 62	1971 Sch. 1 para. 48; Civic Government (Scotland) Act 1982 (c. 45) s. 18(11); Transport Act 1985 (c. 67) Sch. 2 part II para. 2(3).
para. 63	S.I. 1972/1210 art. 2(b).
Sch. 2 paras. 1-4	1988 c. 33 s. 171(1); 1990 c. 41 s. 124(3); 1991 c. 48 s. 58(2).
para. 5	1971 Sch. 2 para. 1.
Sch. 3	
Sch. 4	

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