

SCHEDULE

AUTHORISED COURT AND TRIBUNAL STAFF: LEGAL ADVICE AND JUDICIAL FUNCTIONS

PART 2

TRIBUNALS

Tribunals, Courts and Enforcement Act 2007

45 After paragraph 28 insert—

“Delegation of functions to staff: reconsideration of decisions

- 28A (1) Before making Rules that provide for the exercise of functions of the First-tier Tribunal or Upper Tribunal by authorised persons by virtue of paragraph 3, the Committee must take the following steps in relation to each of the functions in question.
- (2) The Committee must consider whether the Rules should include a right for the parties to proceedings in which a decision is made by an authorised person exercising the function to have the decision reconsidered by a judicial office holder.
- (3) If the Committee considers that the rules should include such a right, it must include provision to that effect when it makes the Rules.
- (4) If the Committee does not consider that the rules should include such a right, it must inform the Lord Chancellor of—
- (a) its decision, and
 - (b) its reasons for reaching that decision.
- (5) In this paragraph “authorised person” and “judicial office holder” have the same meanings as in Chapter 2A of Part 1 of this Act (see section 29A).”