

*Changes to legislation:* There are currently no known outstanding effects for the  
Judicial Review and Courts Act 2022, Part 2. (See end of Document for details)

## SCHEDULES

### SCHEDULE 3

#### PRACTICE DIRECTIONS FOR ONLINE PROCEEDINGS

#### PART 2

#### PROCEEDINGS IN THE FIRST-TIER TRIBUNAL AND UPPER TRIBUNAL

##### *Power to give practice directions*

- 5 Practice directions may be given in relation to—
- (a) proceedings in the First-tier Tribunal that are governed by Online Procedure Rules;
  - (b) proceedings in the Upper Tribunal that are governed by Online Procedure Rules.

##### **Commencement Information**

- I1** Sch. 3 para. 5 not in force at Royal Assent, see [s. 51\(4\)](#)  
**I2** [Sch. 3 para. 5](#) in force at 28.6.2023 by [S.I. 2023/631](#), [reg. 2](#)

##### *Contents of practice directions*

- 6 (1) Practice directions under paragraph [5\(a\)](#) may provide for any matter which may be provided for in Online Procedure Rules for proceedings in the First-tier Tribunal.
- (2) Practice directions under paragraph [5\(b\)](#) may provide for any matter which may be provided for in Online Procedure Rules for proceedings in the Upper Tribunal.

##### **Commencement Information**

- I3** Sch. 3 para. 6 not in force at Royal Assent, see [s. 51\(4\)](#)  
**I4** [Sch. 3 para. 6](#) in force at 28.6.2023 by [S.I. 2023/631](#), [reg. 2](#)

##### *Giving practice directions*

- 7 (1) The Senior President of Tribunals may give practice directions under paragraph [5](#) in relation to any proceedings.
- (2) The Senior President may not give practice directions without the approval of the Lord Chancellor.

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- (3) A Chamber President may give practice directions under paragraph 5 in relation to proceedings in the Chamber of the First-tier Tribunal or Upper Tribunal over which the President presides.
- (4) A Chamber President may not give practice directions without the approval of—
  - (a) the Lord Chancellor, and
  - (b) the Senior President of Tribunals.
- (5) Neither sub-paragraph (2) nor sub-paragraph (4)(a) requires the approval of the Lord Chancellor for practice directions to the extent that they consist of guidance about—
  - (a) the application or interpretation of the law;
  - (b) the making of decisions by members of the First-tier Tribunal or Upper Tribunal.
- (6) Neither sub-paragraph (2) nor sub-paragraph (4)(a) requires the approval of the Lord Chancellor for practice directions to the extent that they consist of criteria for determining which members of the First-tier Tribunal or Upper Tribunal may be chosen to hear particular categories of case; but the directions may, to that extent, be given only after consultation with the Lord Chancellor (as well as with the approval of the Senior President of Tribunals if required by sub-paragraph (4)(b)).

#### Commencement Information

- I5** Sch. 3 para. 7 not in force at Royal Assent, see [s. 51\(4\)](#)
- I6** [Sch. 3 para. 7](#) in force at 28.6.2023 by [S.I. 2023/631](#), [reg. 2](#)

#### *Particular provision in practice directions*

- 8 The power under paragraph 5 to give practice directions includes power—
  - (a) to vary or revoke directions made in exercise of the power;
  - (b) to make different provision for different purposes (including different provision for different areas).

#### Commencement Information

- I7** Sch. 3 para. 8 not in force at Royal Assent, see [s. 51\(4\)](#)
- I8** [Sch. 3 para. 8](#) in force at 28.6.2023 by [S.I. 2023/631](#), [reg. 2](#)

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