



Judicial Review and Courts Act 2022

2022 CHAPTER 35

PART 2

COURTS, TRIBUNALS AND CORONERS

CHAPTER 2

ONLINE PROCEDURE

23 General powers of the Online Procedure Rule Committee

- (1) For making Online Procedure Rules for proceedings of a kind set out in an entry in the first column of the following table, the Online Procedure Rule Committee has the powers set out in the corresponding entry in the second column.

<i>Kind of proceedings</i>	<i>Powers of the Online Procedure Rule Committee</i>
Civil proceedings in England and Wales	The same powers that the Civil Procedure Rule Committee has under the Civil Procedure Act 1997 or otherwise for making Civil Procedure Rules, except the powers under paragraphs 5 and 6 of Schedule 1 to that Act (powers to apply other rules and refer to practice directions).
Family proceedings in England and Wales	The same powers that the Family Procedure Rule Committee has under Part 7 of the Courts Act 2003 or otherwise for making Family Procedure Rules, except the powers under section 76(4) to (8) of that Act (powers

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<i>Kind of proceedings</i>	<i>Powers of the Online Procedure Rule Committee</i>
	to apply other rules and refer to practice directions).
Proceedings in the First-tier Tribunal	The same powers that the Tribunal Procedure Committee has under Part 1 of the Tribunals, Courts and Enforcement Act 2007 or otherwise for making Tribunal Procedure Rules for proceedings in the First-tier Tribunal, except the power under paragraph 17 of Schedule 5 to that Act (power to refer to practice directions).
Proceedings in the Upper Tribunal	The same powers that the Tribunal Procedure Committee has under Part 1 of the Tribunals, Courts and Enforcement Act 2007 or otherwise for making Tribunal Procedure Rules for proceedings in the Upper Tribunal, except the power under paragraph 17 of Schedule 5 to that Act (power to refer to practice directions).
Proceedings in employment tribunals	The same powers that the Tribunal Procedure Committee has under Parts 1 and 3 of the Employment Tribunals Act 1996 or otherwise for making Employment Tribunal Procedure Rules for proceedings before employment tribunals, except the power under paragraph 18 of Schedule A1 to that Act (power to refer to practice directions).
Proceedings in the Employment Appeal Tribunal	The same powers that the Tribunal Procedure Committee has under Parts 2 and 3 of the Employment Tribunals Act 1996 or otherwise for making Employment Tribunal Procedure Rules for proceedings before the Employment Appeal Tribunal, except the power under paragraph 18 of Schedule A1 to that Act (power to refer to practice directions).

- (2) Online Procedure Rules may apply other procedural provision.
- (3) The other procedural provision may be applied to proceedings of a particular kind even if the provision would not normally be applicable to that kind of proceedings.
- (4) The other procedural provision may be applied—
- (a) to any extent;
 - (b) with or without modifications;
 - (c) as amended from time to time.

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- (5) In subsections (2) to (4) “other procedural provision” means—
- (a) Civil Procedure Rules,
 - (b) Family Procedure Rules,
 - (c) Tribunal Procedure Rules,
 - (d) Employment Tribunal Procedure Rules,
 - (e) other rules of court,
 - (f) directions under—
 - (i) section 7A or 29A of the Employment Tribunals Act 1996,
 - (ii) section 5 of the Civil Procedure Act 1997,
 - (iii) section 81 of the Courts Act 2003, or
 - (iv) section 23 of the Tribunals, Courts and Enforcement Act 2007, or
 - (g) any other provision governing the practice or procedure of a court or tribunal which is made by or under an enactment (whenever passed or made).
- (6) Online Procedure Rules may, instead of providing for any matter, refer to provision made or to be made about that matter by directions under [Schedule 3](#).

Commencement Information

- I1** S. 23 not in force at Royal Assent, see [s. 51\(4\)](#)
- I2** [S. 23](#) in force at 28.6.2023 by [S.I. 2023/631](#), [reg. 2](#)

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