

**2001 No. 3539**

**CONTRACTING OUT  
TRIBUNALS AND INQUIRIES**

**The Contracting Out of Functions (Tribunal Staff)  
Order 2001**

*Made - - - - - 31st October 2001*

*Coming into force - - - - - 1st November 2001*

The Lord Chancellor, in exercise of the powers conferred upon him by section 69 of the Deregulation and Contracting Out Act 1994<sup>(a)</sup>, makes the following Order, of which a draft has, in accordance with section 77(2) of that Act, been laid before and approved by resolution of each House of Parliament:

**Citation and commencement**

1. This Order may be cited as the Contracting Out of Functions(Tribunal Staff)Order 2001 and shall come into force on the day following that on which it is made.

**Contracting out of functions**

2.—(1) The functions described in paragraph (2) below may be exercised by, or by the employees of, such persons as the Lord Chancellor may authorise to do so.

(2) The functions are those conferred on the Lord Chancellor by the enactments listed in the left-hand column of the Table below, so far as they relate to the provision of officers and other staff for the tribunals listed in the right-hand column of that Table.

<i>Provision</i>	<i>Tribunal</i>
Lands Tribunal Act 1949 <sup>(b)</sup> section 2(7)	Lands Tribunal
Immigration and Asylum Act 1999 <sup>(c)</sup> Schedule 2 paragraph 7	Immigration Appeal Tribunal
Immigration and Asylum Act 1999 Schedule 3 paragraph 7	Adjudicators for the purposes of the Immigration and Asylum Act 1999

(a) 1994 c. 40.

(b) 12, 13 & 14 Geo. 6 c. 42.

(c) 1999 c. 33.

3. Nothing in this Order shall have the effect of authorising any person—
  - (a) to make judicial decisions or advise any person making such decisions;
  - (b) to exercise any judicial discretion or advise any person exercising any such discretion; or
  - (c) to exercise any power of arrest.

Signed by authority of the Lord Chancellor

*Rosie Winterton*  
Parliamentary Secretary  
Lord Chancellor's Department

Dated 31st October 2001

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#### EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order permits the Lord Chancellor to contract out his function of appointing officers and other staff for the Land Tribunal and for the Immigration Appellate Authority. Neither the contractor nor the officers or staff appointed by them may exercise any judicial function or any power of arrest.

£1.50

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under the authority and superintendence of Carol Tullo, Controller of  
Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.  
E1277 11/2001 639062 19585

ISBN 0-11-038732-5



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