
STATUTORY INSTRUMENTS

2007 No. 2951

TRIBUNALS AND INQUIRIES

**The Administrative Justice and Tribunals
Council (Listed Tribunals) Order 2007**

Made - - - - *9th October 2007*
Laid before Parliament *10th October 2007*
Coming into force - - *1st November 2007*

The Lord Chancellor makes the following Order in exercise of the powers conferred by paragraph 25(2) of Schedule 7 to the Tribunals, Courts and Enforcement Act 2007⁽¹⁾.

Citation and commencement

1. This Order may be cited as the Administrative Justice and Tribunals Council (Listed Tribunals) Order 2007 and shall come into force on 1st November 2007.

List of tribunals

2. The following are listed tribunals for the purposes of Schedule 7 to the Tribunals, Courts and Enforcement Act 2007—

<i>Tribunal</i>	<i>Legislation</i>
Adjudicator to Her Majesty's Land Registry	Section 107 of the Land Registration Act 2002 (c.9)
Adjudicators	Section 25 of the School Standards and Framework Act 1998 (c.31)
Adjudicators	Section 5 of the Criminal Injuries Compensation Act 1995 (c.53)
Adjudicators	Section 81 of the Traffic Management Act 2004 (c.18)
Admission Appeal Panels in England	Section 94(5) or 95(3) of the School Standards and Framework Act 1998 (c.31)

(1) 2007 c.15.

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<i>Tribunal</i>	<i>Legislation</i>
Agricultural Land Tribunals	Section 73 of the Agriculture Act 1947 (c.48)
Aircraft and Shipbuilding Industries Arbitration Tribunal, except for its functions in respect of Northern Ireland	Section 42 of the Aircraft and Shipbuilding Industries Act 1977 (c.3)
Antarctic Act Tribunal, except for its functions in respect of Northern Ireland	Regulation 11 of the Antarctic Regulations 1995 (S.I. 1995/490)
Appeal Tribunals	Part 2 of Schedule 9 to the Scheme set out in Schedule 2 to the Firefighters' Pension Scheme Order 1992 (S.I. 1992/129)
Appeal Tribunals	Section 4 of the Social Security Act 1998 (c.14)
Appeal Tribunals appointed for England and Wales	Regulation H6(3) of the Police Pensions Regulations 1987 (S.I. 1987/257)
Appeals Tribunals	Regulation 10 of the Local Authorities (Code of Conduct) (Local Determination) Regulations 2003 (S.I. 2003/1483)
Arbitrators (unless appointed by agreement)	Section 84 of the Agricultural Holdings Act 1986 (c.5)
Asylum and Immigration Tribunal	Section 81 of the Nationality, Immigration and Asylum Act 2002 (c.41)
Asylum Support Adjudicators	Section 102 of the Immigration and Asylum Act 1999 (c.33)
Board of the Pension Protection Fund in respect of functions under or by virtue of section 207 of the Pensions Act 2004 (c.35)	Section 107 of the Pensions Act 2004 (c.35)
Bus Lane Adjudicators	Regulation 11 of the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005 (S.I. 2005/2757)
Case Tribunals, or Interim Case Tribunals, drawn from the Adjudication Panel for England	Section 76 of the Local Government Act 2000 (c.22)
Charity Tribunal	Section 2A of the Charities Act 1993 (c.10)
Child Support Commissioners and any tribunal of Commissioners under paragraph 5 of Schedule 4 to the Child Support Act 1991 (c.48)	Section 22 of the Child Support Act 1991 (c.48)
Civil Aviation Authority in respect of its functions prescribed for the purposes of section 7(2) of the Civil Aviation Act 1982 (c.16), except functions in respect of Northern Ireland	Section 2 of the Civil Aviation Act 1982 (c.16)
Claims Management Services Tribunal	Section 12 of the Compensation Act 2006 (c.29)

<i>Tribunal</i>	<i>Legislation</i>
Commissioners for the general purposes of the income tax for England and Wales	Section 2 of the Taxes Management Act 1970 (c.9)
Commissioners for the special purposes of the Income Tax Acts	Section 4 of the Taxes Management Act 1970 (c.9)
Committees for England	Section 27 of the Forestry Act 1967 (c.10)
Committees of Primary Care Trusts in England	Regulation 3 of the National Health Service (Service Committees and Tribunal) Regulations 1992 (S.I. 1992/664)
Competition Appeal Tribunal, except for its functions in respect of Northern Ireland	Section 12 of the Enterprise Act 2002 (c.40)
Comptroller in respect of non-executive functions, including any delegation of those functions under section 62(3) of the Patents and Designs Act 1907 (c.29), except functions in respect of Northern Ireland	Section 62(2) of the Patents and Designs Act 1907 (c.29)
Consumer Credit Appeals Tribunal, except for its functions in respect of Northern Ireland	Section 40A of the Consumer Credit Act 1974 (c.39)
Controller of Plant Variety Rights in respect of non-executive functions, including any delegation of those functions under paragraph 3 of Schedule 1 to the Plant Varieties Act 1997 (c.66), except functions in respect of Northern Ireland	Section 2(1) of the Plant Varieties Act 1997 (c.66)
Conveyancing Appeal Tribunals	Section 41 of the Courts and Legal Services Act 1990 (c.41)
Copyright Tribunal, except for its functions in respect of Northern Ireland	Section 145 of the Copyright, Designs and Patents Act 1988 (c.48)
Employment Tribunals	Section 1(1) of the Employment Tribunals Act 1996 (c.17)
Exclusion Appeal Panels in England	Paragraph 2 of the Schedule to the Education (Pupil Exclusions and Appeals) (Maintained Schools) (England) Regulations 2002 (S.I. 2002/3178)
Family Health Services Appeal Authority in respect of its non-executive functions	Section 169 of the National Health Service Act 2006 (c.41)
Financial Services and Markets Tribunal, except for its functions in respect of Northern Ireland	Section 132 of the Financial Services and Markets Act 2000 (c 8)
Foreign Compensation Commission in respect of its non-executive functions	Section 1(1) of the Foreign Compensation Act 1950 (c.12)
Gambling Appeals Tribunal	Section 140 of the Gambling Act 2005 (c. 19)

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<i>Tribunal</i>	<i>Legislation</i>
Gender Recognition Panels, except for their functions in respect of Northern Ireland	Section 1(3) to the Gender Recognition Act 2004 (c.7)
Horserace Betting Levy Appeal Tribunals for England and Wales	Section 29 of the Betting, Gaming and Lotteries Act 1963 (c.2)
Immigration Services Tribunal	Section 87 of the Immigration and Asylum Act 1999 (c.33)
Information Commissioner in respect of non-executive functions, except functions in respect of Northern Ireland	Section 6(1) of the Data Protection Act 1998 (c.29)
Information Tribunal except in respect of appeals relating to national security and its functions in respect of Northern Ireland	Section 6(3) of the Data Protection Act 1998 (c.29)
Insolvency Practitioners Tribunal	Section 396(1) of the Insolvency Act 1986 (c.45)
Lands Tribunal	Section 1(1)(b) of the Lands Tribunal Act 1949 (c.42)
Mental Health Review Tribunals for England and Wales	Section 65 of the Mental Health Act 1983 (c.20)
National Lottery Commission in respect of its functions under sections 10 and 10A of, and Schedule 3 to, the National Lottery etc. Act 1993 (c.39), including any delegation under paragraph 8 of Schedule 2A to that Act, except for its functions in respect of Northern Ireland	Section 3A of the National Lottery etc. Act 1993 (c.39)
Ombudsman for the Board of the Pension Protection Fund in respect of functions under or by virtue of section 213 of the Pensions Act 2004 (c.35)	Section 209 of the Pensions Act 2004 (c.35)
Parking Adjudicators in England	Section 73 of the Road Traffic Act 1991 (c.40)
Pensions Appeal Tribunals for England and Wales	Paragraph 1(1) of the Schedule to the Pensions Appeal Tribunals Act 1943 (c.39) and section 8(2) of the War Pensions (Administrative Provisions) Act 1919 (c.53)
Pensions Ombudsman, and any Deputy Pensions Ombudsman, in respect of functions under section 146(1)(c) and (d) of the Pensions Schemes Act 1993 (c.48)	Sections 145(1) and 145A(1) of the Pensions Schemes Act 1993 (c.48)
Pensions Regulator in respect of regulatory functions under section 93(2) of the Pensions Act 2004 (c.35)	Section 1 of the Pensions Act 2004 (c.35)
Pensions Regulator Tribunal in respect of functions under sections 103 and 105 of the Pensions Act 2004 (c.35)	Section 102 of the Pensions Act 2004 (c.35)

<i>Tribunal</i>	<i>Legislation</i>
Plant Varieties and Seeds Tribunal, except for its functions in respect of Northern Ireland	Section 42(1) of the Plant Varieties Act 1997 (c.66)
Police Appeals Tribunals	Section 85 of the Police Act 1996 (c.16)
Primary Care Trusts in England in respect of their functions under the National Health Service (Service Committees and Tribunal) Regulations 1992 (S.I. 1992/664)	Section 18 of the National Health Service Act 2006 (c.41)
Referees	Regulation 3 of the Industrial Training (Levy Exemption References) Regulations 1974 (S.I. 1974/1335)
Reinstatement Committees	Paragraph 1 of Schedule 2 to the Reserve Forces (Safeguard of Employment) Act 1985 (c.17)
Rent Assessment Committees in England	Section 65 of the Rent Act 1977 (c.42)
Reserve Forces Appeal Tribunals	Section 88 of the Reserve Forces Act 1996 (c.14)
Road User Charging Adjudicators	Regulation 3 of the Road User Charging (Enforcement and Adjudication) (London) Regulations 2001 (S.I. 2001/2313)
Sea Fish Licence Tribunal, except for its functions in respect of Northern Ireland	Section 4AA of the Sea Fish (Conservation) Act 1967 (c.84)
Social Security Commissioners and any tribunal presided over by such a Commissioner	Schedule 4 to the Social Security Act 1998 (c.14)
Special Educational Needs and Disability Tribunal	Section 333 of the Education Act 1996 (c.56) or section 28H of the Disability Discrimination Act 1995 (c.50)
The Office of Fair Trading and any member of its staff authorised to exercise its relevant functions, except functions in respect of Northern Ireland	Functions of the Office of Fair Trading under the Consumer Credit Act 1974 (c.39) and the Estate Agents Act 1979 (c.38), not being executive functions
Traffic Commissioners for areas in England and Wales	Section 4 of the Public Passenger Vehicle Act 1981 (c.14)
Transport Tribunal	Schedule 4 to the Transport Act 1985 (c.67)
Tribunal	Section 704 of the Income Tax Act 2007 (c.3)
Tribunal	Section 706 of the Income and Corporation Taxes Act 1988 (c.1)
Tribunal, except for its functions in respect of Northern Ireland	Health Service Medicines (Price Control Appeals) Regulations 2000 (S.I. 2000/124)
Tribunal, except for its functions in respect of Northern Ireland	Schedule 3 to the Industry Act 1975 (c.68)
Tribunal, except for its functions in respect of Northern Ireland	Section 9 of the Protection of Children Act 1999 (c.14)

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<i>Tribunal</i>	<i>Legislation</i>
Tribunals	Rule 6 of the model provisions with respect to appeals as modified by the Chemical Weapons (Licence Appeal Provisions) Order 1996 (S.I. 1996/3030)
Tribunals	Section 150(3) of the Mines and Quarries Act 1954 (c.70)
Tribunals for England and Wales	Section 14 of the Misuse of Drugs Act 1971 (c.38)
Tribunals of Appeal	Section 109 of the London Building Acts (Amendment) Act 1939 (c. xcvi)
Umpire and any Deputy Umpires	Paragraph 5 of Schedule 2 to the Reserve Forces (Safeguard of Employment) Act 1985 (c.17)
Valuation Tribunals in England	Regulations under Schedule 11 to the Local Government Finance Act 1988 (c.41)
VAT and Duties Tribunals for England, Wales and Northern Ireland	Schedule 12 to the Value Added Tax Act 1994 (c.23)

Signed by authority of the Lord Chancellor

9th October 2007

Bridget Prentice
Parliamentary Under Secretary of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is made under the Tribunals, Courts and Enforcement Act 2007. That Act establishes the Administrative Justice and Tribunals Council (AJTC) to replace the Council on Tribunals and provides for the AJTC to keep under review, consider and report on matters relating to the listed tribunals. On the coming into force of the 2007 Act the only listed tribunals were the two new tribunals provided for in the 2007 Act, being the First-tier Tribunal and the Upper Tribunal. This Order designates as listed tribunals additional entities which the AJTC will keep under review, consider and report on. Orders will also be made by the Scottish Ministers and the Welsh Ministers in relation to those tribunals for which they are the “authority responsible” (as defined in paragraph 25(3) of Schedule 7 to the 2007 Act).

The power to designate a tribunal as a listed tribunal is restricted where a tribunal exercises functions with respect to a matter which (were it to be legislated upon) would be within the legislative competence of the Northern Ireland Assembly. For this reason the list of tribunals in this Order excludes some tribunals’ functions in respect of Northern Ireland.

An impact assessment has been prepared and was included in the Public Sector Impact Assessment forming subject I in the document “Tribunals, Courts and Enforcement Bill: Regulatory Impact Assessments”. A copy can be found at http://www.dca.gov.uk/risk/tce_bill.pdf.