
STATUTORY INSTRUMENTS

2021 No. 1183 (L. 16)

TRIBUNALS AND INQUIRIES

The Tribunal Procedure (Amendment No. 2) Rules 2021

Made - - - - 21st October 2021
Laid before Parliament 26th October 2021
Coming into force - - 16th November 2021

The Tribunal Procedure Committee makes the following Rules, in exercise of the powers conferred by sections 22 and 29(3) of, and Schedule 5 to, the Tribunals, Courts and Enforcement Act 2007⁽¹⁾, having consulted in accordance with paragraph 28(1) of Schedule 5 to that Act.

The Lord Chancellor has allowed the Rules in accordance with paragraph 28(3) of Schedule 5 to the Tribunals, Courts and Enforcement Act 2007.

Citation, commencement and extent

1.—(1) These Rules may be cited as the Tribunal Procedure (Amendment No. 2) Rules 2021 and come into force on the twenty-first day after the day on which they are laid.

(2) Subject to paragraph (3), these Rules extend to England and Wales, Scotland and Northern Ireland.

(3) Rule 2 extends to England and Wales only.

Amendments to the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013

2.—(1) Rule 13(1) (orders for costs, reimbursement of fees and interest on costs) of the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013⁽²⁾ is amended as follows.

(2) In sub-paragraph (d), for “which have been transferred from the Upper Tribunal” substitute—
“—

(i) under Part 4A (code rights in respect of land connected to leased premises: unresponsive occupiers); or

(ii) that have been transferred from the Upper Tribunal.”.

(3) In paragraph (1A), for “paragraph (1)(d)” substitute “paragraph (1)(d)(ii)”.

(1) 2007 c. 15. There are amendments to the Act but none are relevant to this instrument.

(2) S.I. 2013/1169, amended by S.I. 2019/925 and S.I. 2021/322.

Amendments to the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009

3.—(1) Rule 10(4) (orders for costs) of the Tribunal Procedure (First-tier) (General Regulatory Chamber) Rules 2009(3) is amended as follows.

(2) At the end of sub-paragraph (a) omit “or”.

(3) At the end of sub-paragraph (b) omit the full stop and insert—
“; or

(c) notice under rule 17(8) that the proceedings have been treated as withdrawn.”.

We make these Rules

Peter Roth
Tim Fagg
Donald W Ferguson
Michael Reed
Susan Humble
Mark Loveday
Dr Elizabeth Stuart-Cole
Philip Brook Smith
TPC Members

18th October 2021

I allow these Rules

James Cartlidge
Parliamentary Under Secretary of State
Ministry of Justice

21st October 2021

EXPLANATORY NOTE

(This note is not part of the Rules)

Rule 2 amends the Tribunal Procedure (First-tier Tribunal) (Property Chamber) Rules 2013 ([S.I. 2013/1169](#)) to allow for costs to be awarded in proceedings under Part 4A of Schedule 3A to the Communications Act 2003.

Rule 3 amends the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 ([S.I. 2009/1976](#)) to ensure that the time limit for making an application for a costs order applies in relation to a deemed withdrawal in the same way as it applies to a withdrawal which takes effect following a notice of withdrawal by a party.

No impact assessment has been carried out for these amendments as no, or no significant impact, on the private, voluntary, or public sectors is foreseen.