

**2021 No. 1183 (L. 16)**

**TRIBUNALS AND INQUIRIES**

**The Tribunal Procedure (Amendment No. 2) Rules 2021**

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

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(a), 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(b) 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)”.

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

(b) 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) Rules 2009**

3.—(1) Rule 10(4) (orders for costs) of the Tribunal Procedure (First-tier) (General Regulatory) Rules 2008(a) 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(c) notice under rule 17(8) that the proceedings have been treated as withdrawn.”.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.

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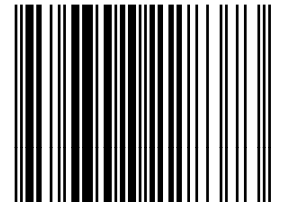
(a) S.I. 2013/477, amended by S.I. 2019/1976; there are other amending instruments but none is relevant.



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