

2023 No. 769

TRIBUNALS AND INQUIRIES

**The First-tier Tribunal and Upper Tribunal (Chambers)
(Amendment) Order 2023**

Made - - - - - *4th July 2023*

Laid before Parliament *10th July 2023*

Coming into force in accordance with article 1

The Lord Chancellor, with the concurrence of the Senior President of Tribunals, makes the following Order in exercise of the powers conferred by section 7(9) of the Tribunals, Courts and Enforcement Act 2007(a).

Citation and commencement

1. This Order may be cited as the First-tier Tribunal and Upper Tribunal (Chambers) (Amendment) Order 2023 and comes into force on the 21st day after the day on which it is laid.

Amendments to the First-tier Tribunal and Upper Tribunal (Chambers) Order 2010

2.—(1) The First-tier Tribunal and Upper Tribunal (Chambers) Order 2010(b) is amended as follows.

(2) In article 3 (functions of the General Regulatory Chamber), in paragraph (b)—

(a) at the beginning insert “an application under section 324A of the Charities Act 2011 (c)(power to authorise costs) or”;

(b) for “Schedule 1D to the Charities Act 1993” substitute “section 325 or 326 of that Act”.

(3) In article 4 (functions of the Health, Education and Social Care Chamber), after paragraph (i) insert—

“(j) an appeal in relation to a decision to impose a financial penalty for breach of an adult social care information provision.”.

(4) In article 13 (functions of the Tax and Chancery Chamber), in paragraph (2)—

(a) after “Charity Commission,” insert “an application under section 324A of the Charities Act 2011,”;

(b) for “Schedule 1D to the Charities Act 1993” substitute “section 325 or 326 of that Act”.

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

(b) S.I. 2010/2655. There are amending instruments but none is relevant to this instrument.

(c) 2011 c. 25. Section 324A was inserted by section 36 of the Charities Act 2022 (c. 6).

26th June 2023

Bellamy
Parliamentary Under Secretary of State
Ministry of Justice

I concur,

4th July 2023

Keith Lindblom
Senior President of Tribunals

EXPLANATORY NOTE

(This note is not part of the Order)

The First-tier Tribunal and Upper Tribunal (Chambers) Order 2010 (S.I. 2010/2655) (“the 2010 Order”) organises the First-tier Tribunal and Upper Tribunal into chambers and makes provision for the allocation of those tribunals’ functions between the chambers.

This Order amends the 2010 Order to reflect the conferral of further jurisdictions on the First-tier Tribunal and Upper Tribunal relating to applications for authorised costs orders under section 324A (power to authorise costs to be incurred in relation to proceedings) of the Charities Act 2011 (c. 25) and conferral of further jurisdiction on the First-tier Tribunal in respect of appeals from financial penalties imposed for breaching adult social care information provisions under the Adult Social Care Information (Enforcement) Regulations 2022 (S.I. 2022/1175).

This Order also makes minor amendments to the 2010 Order to reflect the changes made by the Charities Act 2011 which repeals and replaces the Charities Act 1993 (c. 10).

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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