

## SCHEDULE 1

Regulation 5

### Transitional and saving provisions

#### **Appeals, complaints, and proceedings in progress before the Lands Tribunal immediately prior to 1 April 2023 to transfer to the Upper Tribunal**

1. Any appeal or complaint to the Lands Tribunal to which these Regulations relate, including an appeal against a decision of a valuation appeal committee not to refer a case to the Lands Tribunal, in progress immediately before 1 April 2023 but not yet determined, and any proceedings of the Lands Tribunal in progress immediately before that date—

- (a) are transferred to and are to be completed by the Upper Tribunal as if they were appeals or complaints to the Upper Tribunal or proceedings in the Upper Tribunal, and
- (b) with, so far as possible, the same persons hearing and determining the case before the Upper Tribunal as members of that tribunal as were prior to 1 April 2023 hearing the case as members of the Lands Tribunal.

#### **Decisions, directions and orders of the Lands Tribunal to continue in force**

2. Any decision (whether or not called a decision), direction or order given or made in, or in respect of appeals or complaints to, and proceedings before, the Lands Tribunal to which these Regulations relate which is given or made immediately prior to 1 April 2023 remains in force on and after that date as if it were a decision, direction or order of the Upper Tribunal.

#### **Time limits in respect of appeals, complaints, referrals to, and proceedings before the Lands Tribunal to carry over to the Upper Tribunal**

3. Any time limit which has started to run before 1 April 2023 in respect of appeals or complaints to, and proceedings before, the Lands Tribunal to which these Regulations relate and which has not expired continues to apply where the appeals, complaints, and proceedings are transferred to the Upper Tribunal.

#### **Unexercised right of appeal to the Lands Valuation Appeal Court, if exercised, remains as an appeal to the Lands Valuation Appeal Court**

4. Where, in respect of a decision of the Lands Tribunal to which these Regulations relate and that was made before 1 April 2023, there lies a right of appeal to the Lands Valuation Appeal Court which has not been exercised before that date but is still exercisable, any appeal in relation to that decision on or after 1 April 2023 continues to lie to the Lands Valuation Appeal Court but is to be treated as if the decision had been made by the Upper Tribunal.

#### **Exercised right of appeal to the Lands Valuation Appeal Court**

5. Where, in respect of a decision of the Lands Tribunal to which these Regulations relate and that was made before 1 April 2023, there lies a right of appeal to the Lands Valuation Appeal Court which has been exercised before that date, the appeal continues but is to be an appeal from the Upper Tribunal to the Lands Valuation Appeal Court.