



# Tribunals and Inquiries Act 1992

## 1992 CHAPTER 53

### *Supplementary provisions*

#### **13 Power to apply Act to additional tribunals and to repeal or amend certain provisions.**

- (1) The Lord Chancellor <sup>F1</sup> . . . may by order amend Part I or Part II of Schedule 1 by adding to that Part any such tribunals, other than any of the ordinary courts of law, as may be provided by the order.
- (2) The Lord Chancellor <sup>F1</sup> . . . may by order make provision, as respects any tribunal for the time being specified in Schedule 1, not being a tribunal mentioned in section 6, for amending that section so as to apply any of the provisions of that section to the tribunal or for providing for the appointment by the Lord Chancellor, the Lord President of the Court of Session or the Lord Chief Justice of Northern Ireland of the chairman of the tribunal and of any person to be appointed to act as chairman.
- (3) The Lord Chancellor <sup>F1</sup> . . . may by order amend section 11 so as to apply that section to any tribunal for the time being specified in Schedule 1.
- (4) Any order under subsection (1), (2) or (3) may make any such adaptations of the provisions of this Act as may be necessary or expedient in consequence of the order.
- (5) The Lord Chancellor <sup>F1</sup> . . . may by order—
  - (a) repeal or amend section 7(3) of this Act or any of paragraphs 5 <sup>F2</sup> . . . , 9, 13, 16, 20, 22, 23, 24, 29, 30, 32, 35(a) <sup>F3</sup> . . . , 37, 39(c), 43, 44, 47, 49, 51, 54, 55, 56(d), 57(a), 58, 59 and 63 of Schedule 1;
  - <sup>F4</sup>(b) repeal the reference in section 6 to paragraph 43 of Schedule 1;
  - (c) repeal the reference in section 8(1) to the Foreign Compensation Commission and the reference in section 14(1) to paragraph 20 of Schedule 1;
  - (d) repeal the references in section 11 to any of paragraphs 16, 24, 37, 44, 51, 59 and 63 of Schedule 1; and
  - (e) repeal the references in paragraphs 21 and 53 of Schedule 1 to sections 16, 17B and 25 of the <sup>M1</sup>Forestry Act 1967.

*Status: Point in time view as at 01/09/2002.*

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- (6) Nothing in this section authorises the making of an order with respect to a tribunal having jurisdiction only over matters with respect to which the Parliament of Northern Ireland had power to make laws.

#### Textual Amendments

- F1** Words in s. 13(1)(2)(3)(5) omitted (1.7.1999) by virtue of S.I. 1999/1750, arts. 1, 6(1), **Sch. 5 para. 11** (with art. 7); S.I. 1998/3178, **art. 3**
- F2** Word in s. 13(5)(a) repealed (1.12.2001) by S.I. 2001/3649, **arts. 1, 337**
- F3** Words in s. 13(5)(a) repealed (6.4.1997) by 1995 c. 26, ss. 151, 177, Sch. 5 para. 16(4), **Sch. 7 Pt. III**; S.I. 1997/664, art. 2(3), **Sch. Pt. II**
- F4** S. 13(5)(b) repealed (29.11.1999 for specified purposes otherwise *prosp.*) by 1998 c. 14, ss. 86(1)(2), 87(2), Sch. 7 para. 120(b), **Sch. 8**; S.I. 1999/3178, art. 2(1)(2), **Sch. 1**

#### Modifications etc. (not altering text)

- C1** S. 13: transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

#### Marginal Citations

- M1** 1967 c. 10.

## 14 Restricted application of Act in relation to certain tribunals.

- (1) References in this Act to the working or a decision of, or procedural rules for,—
- any tribunals specified in paragraph 14(a), 20, 33, 34, 39(a) or (b), 40, 48, 56 or 60 of Schedule 1,
  - the Director General of Fair Trading referred to in paragraph 17 of Schedule 1, or
  - the Controller of Plant Variety Rights referred to in paragraph 36(a) of Schedule 1,
- do not include references to their working, decisions or procedure in the exercise of executive functions.

[<sup>F5</sup>(1A) In this Act—

- references to the working of the Occupational Pensions Regulatory Authority referred to in paragraph 35(g) of Schedule 1 are references to their working so far as relating to matters dealt with by them by means of a formal hearing or on review, and
- references to procedural rules for the Authority are references to regulations under—
  - section 96(5) of the Pensions Act 1995 (procedure to be adopted with respect to reviews), or
  - paragraph 13 of Schedule 1 to that Act (procedure of the Authority), so far as the regulations relate to procedure on any formal hearing by the Authority.]

(2) .....

- (3) For the purposes of this Act, the functions of the Civil Aviation Authority referred to in paragraph 3 of Schedule 1 are to be taken to be confined to those prescribed for the purposes of section 7(2) of the <sup>M2</sup>Civil Aviation Act 1982.

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#### Textual Amendments

**F5** S. 14(1A) inserted (6.4.1997) by 1995 c. 26, s. 122, **Sch. 3 para. 21(c)**; S.I. 1997/664, art. 2(3), **Sch. Pt. II**

#### Marginal Citations

**M2** 1982 c. 16.

## 15 Rules and orders.

Any power of the Lord Chancellor and the Lord Advocate or either of them to make rules or orders under this Act shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament.

## 16 Interpretation.

- (1) In this Act, except where the context otherwise requires—
- “decision”, “procedural rules” and “working”, in relation to a tribunal, shall be construed subject to section 14,
  - “Council” means the Council on Tribunals,
  - “Minister” includes [<sup>F6</sup>the National Assembly for Wales and] any Board presided over by a Minister,
  - “Scottish Committee” means the Scottish Committee of the Council on Tribunals,
  - “statutory inquiry” means—
    - (a) an inquiry or hearing held or to be held in pursuance of a duty imposed by any statutory provision, or
    - (b) an inquiry or hearing, or an inquiry or hearing of a class, designated for the purposes of this section by an order under subsection (2), and
  - “statutory provision” means a provision contained in, or having effect under, any enactment.
- (2) The Lord Chancellor <sup>F7</sup> . . . may by order designate for the purposes of this section any inquiry or hearing held or to be held in pursuance of a power conferred by any statutory provision specified or described in the order, or any class of such inquiries or hearings.
- (3) References in this Act to members of tribunals include references to the person constituting a tribunal consisting of one person.

#### Textual Amendments

**F6** S. 16(1): words in the definition of “Minister” inserted (1.4.1999) by 1998 c. 38, s. 125, **Sch. 12 para. 33** (with ss. 139(2), 143(2)); S.I. 1999/782, **art. 2**

**F7** Words in s. 16(2) omitted (1.7.1999) by S.I. 1999/1750, arts. 1, 6(1), **Sch. 5 para. 11**; S.I. 1998/3178, **art. 3**

#### Modifications etc. (not altering text)

**C2** S. 16(2): transfer of certain functions (1.7.1999) by S.I. 1999/1750, arts. 1, 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art. 3**

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## **17 Transitory provisions.**

The transitory provisions in Schedule 2 to this Act shall have effect.

## **18 Consequential amendments, repeals and saving.**

- (1) The enactments specified in Schedule 3 shall have effect subject to the amendments there specified, being amendments consequential on this Act.
- (2) The enactments specified in Part I of Schedule 4 are hereby repealed to the extent specified in the third column of that Part; and the orders specified in Part II of that Schedule are hereby revoked.
- (3) Notwithstanding the repeal by this Act of Schedule 3 to the <sup>M3</sup>Tribunals and Inquiries Act 1971, section 3(12)(a) of the <sup>M4</sup>Lands Tribunal Act 1949 shall continue to have effect with the substitution for paragraph (a) of the following paragraph—  
“(a) Subsection (4) of this section shall not apply;”.

### **Marginal Citations**

**M3** 1971 c. 62.

**M4** 1949 c. 42

## **19 Short title, commencement and extent.**

- (1) This Act may be cited as the Tribunals and Inquiries Act 1992.
- (2) This Act shall come into force on 1st October 1992.
- (3) This Act extends to Northern Ireland.

**Status:**

Point in time view as at 01/09/2002.

**Changes to legislation:**

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