
DRAFT STATUTORY INSTRUMENTS

2009 No.

**The Transfer of Functions (Estate Agents Appeals
and Additional Scheduled Tribunal) Order 2009**

Citation and commencement

1.—(1) This Order may be cited as the Transfer of Functions (Estate Agents Appeals and Additional Scheduled Tribunal) Order 2009 and, subject to paragraph (2), comes into force on 1st September 2009.

(2) Article 4 comes into force on the day after the day on which this instrument is made.

Transfer of function

2. The function of the Secretary of State to decide appeals under section 7(1) of the Estate Agents Act 1979(1) is transferred to the First-tier Tribunal.

Transfer of persons into the First-tier Tribunal and the Upper Tribunal

3. A person who, immediately before this Order comes into force, holds an office listed in column (1) of the following table is to hold the office or offices listed in the corresponding entry in column (2) of the table.

<i>(1) Office held</i>	<i>(2) Office to be held</i>
Person appointed to hear an appeal on behalf of the Secretary of State under regulation 19(1) of Estate Agents (Appeals) Regulations 1981(2) at any time after 2005, and who is on the panel of presiding members	Transferred-in judge of the First-tier Tribunal
Person appointed to hear an appeal on behalf of the Secretary of State under regulation 19(1) of Estate Agents (Appeals) Regulations 1981 at any time after 2005, and who is on the panel of legal members	Transferred-in judge of the First-tier Tribunal
Person appointed to hear an appeal on behalf of the Secretary of State under regulation 19(1) of Estate Agents (Appeals) Regulations 1981 at any time after 2005, and who is on the panel of other members	Transferred-in other member of the First-tier Tribunal

(1) 1979 c. 38.

(2) S.I. 1981/1518.

Addition to the list of tribunals in Schedule 6

4. In Part 4 of Schedule 6 to the Tribunals, Courts and Enforcement Act 2007 (tribunals for the purposes of section 30), insert the following entry at the appropriate place—

“Panel	Section 189(6) of the Greater London Authority Act 1999(3)
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Consequential and transitional provisions

5.—(1) Schedule 1 contains amendments to primary legislation as a consequence of the transfer effected by this Order.

(2) Schedule 2 contains repeals and revocations as a consequence of the amendments in Schedule 1.

(3) Schedule 3 contains transitional and saving provisions.

By authority of the Lord Chancellor

Date

Parliamentary Under-Secretary of State
Ministry of Justice

(3) 1999 c. 29. Section 189(6) was substituted by section 267(4) of the Transport Act 2000 (c. 38).