



Tribunals and Inquiries Act 1992

1992 CHAPTER 53

Judicial control of tribunals etc.

10 Reasons to be given for decisions of tribunals and Ministers.

- (1) Subject to the provisions of this section and of section 14, where—
- (a) any tribunal specified in Schedule 1 gives any decision, or
 - (b) any Minister notifies any decision taken by him—
 - (i) after a statutory inquiry has been held by him or on his behalf, or
 - (ii) in a case in which a person concerned could (whether by objecting or otherwise) have required a statutory inquiry to be so held,
- it shall be the duty of the tribunal or Minister to furnish a statement, either written or oral, of the reasons for the decision if requested, on or before the giving or notification of the decision, to state the reasons.
- (2) The statement referred to in subsection (1) may be refused, or the specification of the reasons restricted, on grounds of national security.
- (3) A tribunal or Minister may refuse to furnish a statement under subsection (1) to a person not primarily concerned with the decision if of the opinion that to furnish it would be contrary to the interests of any person primarily concerned.
- (4) Subsection (1) does not apply to any decision taken by a Minister after the holding by him or on his behalf of an inquiry or hearing which is a statutory inquiry by virtue only of an order made under section 16(2) unless the order contains a direction that this section is to apply in relation to any inquiry or hearing to which the order applies.
- (5) Subsection (1) does not apply—
- (a) to decisions in respect of which any statutory provision has effect, apart from this section, as to the giving of reasons,
 - (b) to decisions of a Minister in connection with the preparation, making, approval, confirmation, or concurrence in regulations, rules or byelaws, or orders or schemes of a legislative and not executive character,^{F1} . . .
- ^{F1}(ba)

Status: Point in time view as at 19/09/2013. This version of this provision has been superseded.

Changes to legislation: Tribunals and Inquiries Act 1992, Section 10 is up to date with all changes known to be in force on or before 15 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

^{F2}(c)

(6) Any statement of the reasons for a decision referred to in paragraph (a) or (b) of subsection (1), whether given in pursuance of that subsection or of any other statutory provision, shall be taken to form part of the decision and accordingly to be incorporated in the record.

(7) If ^{F3} . . . it appears to the Lord Chancellor ^{F4} . . . that it is expedient that—

- (a) decisions of any particular tribunal or any description of such decisions, or
- (b) any description of decisions of a Minister,

should be excluded from the operation of subsection (1) on the ground that the subject-matter of such decisions, or the circumstances in which they are made, make the giving of reasons unnecessary or impracticable, the Lord Chancellor ^{F4} . . . may by order direct that subsection (1) shall not apply to such decisions.

(8) Where an order relating to any decisions has been made under subsection (7), the Lord Chancellor ^{F4} . . . may, by a subsequent order ^{F5} . . . , revoke or vary the earlier order so that subsection (1) applies to any of those decisions.

[^{F6}(9) In relation to—

- (a) any tribunal specified in Schedule 1 which sits in Northern Ireland, and
- (b) statutory inquiries held in Northern Ireland,

the power to make an order under subsection (7) or (8) is exercisable by the Department of Justice in Northern Ireland (and not by any Minister of the Crown) so far as the power may be used to make Northern Ireland devolved provision; and those subsections are to be read accordingly.]

Textual Amendments

- F1** S. 10(5)(ba) and preceding word repealed (1.9.2005) by [Pensions Act 2004 \(c. 35\)](#), ss. 320, 322(1), [Sch. 13 Pt. 1](#) ; [S.I. 2005/1720](#), art. 2(16), [Sch. Pt. 3](#) (with art. 4 (as amended by [S.I. 2009/1583](#), art. 2))
- F2** S. 10(5)(c) repealed (6.4.1997) by [1995 c. 26](#), ss. 151, 177, [Sch. 5 para. 16\(3\)](#), [Sch. 7 Pt. III](#)
- F3** Words in s. 10(7) omitted (19.9.2013) by virtue of [The Public Bodies \(Abolition of Administrative Justice and Tribunals Council\) Order 2013 \(S.I. 2013/2042\)](#), art. 1(2), [Sch. para. 12\(a\)](#)
- F4** Words in s. 10(7)(8) omitted (1.7.1999) by virtue of [S.I. 1999/1750](#), arts. 1, 6(1), [Sch. 5 para. 11](#); [S.I. 1998/3178](#), [art. 3](#)
- F5** Words in s. 10(8) omitted (19.9.2013) by virtue of [The Public Bodies \(Abolition of Administrative Justice and Tribunals Council\) Order 2013 \(S.I. 2013/2042\)](#), art. 1(2), [Sch. para. 12\(b\)](#)
- F6** S. 10(9) inserted (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), arts. 1(2), 15(5), [Sch. 18 para. 48\(3\)](#) (with arts. 28-31); [S.I. 2010/977](#), art. 1(2)

Modifications etc. (not altering text)

- C1** S. 10(7)(8): 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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