

*Status: Point in time view as at 25/05/2018.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Enterprise Act 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 4

#### TRIBUNAL: PROCEDURE

#### PART 1

#### GENERAL

#### *Decisions of the Tribunal*

- 1 (1) A decision of the Tribunal in any proceedings before it must—
- [<sup>F1</sup>(a) state the reasons for the decision;
  - (aa) state whether the decision was unanimous or taken by a majority or, where proceedings are heard by a chairman only, state that fact;]
  - (b) be recorded in a document signed and dated by the chairman of the Tribunal dealing with the proceedings.
- (2) In preparing that document the Tribunal shall have regard to the need for excluding, so far as practicable—
- (a) information the disclosure of which would in its opinion be contrary to the public interest;
  - (b) commercial information the disclosure of which would or might, in its opinion, significantly harm the legitimate business interests of the undertaking to which it relates;
  - (c) information relating to the private affairs of an individual the disclosure of which would, or might, in its opinion, significantly harm his interests.
- (3) But the Tribunal shall also have regard to the extent to which any disclosure mentioned in sub-paragraph (2) is necessary for the purpose of explaining the reasons for the decision.
- (4) The President shall make such arrangements for the publication of the decisions of the Tribunal as he considers appropriate.

#### **Textual Amendments**

- F1** Sch. 4 para. 1(a)(aa) substituted for Sch. 4 para. 1(a) (1.10.2015) by [Consumer Rights Act 2015 \(c. 15\)](#), s. 100(5), [Sch. 8 para. 23](#); S.I. 2015/1630, art. 3(j)

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

- C1** Sch. 4 para. 1(2)(b) modified (25.7.2003 for certain purposes, 29.12.2003 for certain further purposes) by [Communications Act 2003 \(c. 21\)](#), [ss. 195\(8\)](#), [411\(2\)\(3\)](#) (with transitional provisions in [Sch. 18](#)); S.I. 2003/1900, arts. 1(2), [2\(1\)](#), 3(1), [Sch. 1](#) (with arts. 3-6 (as amended (8.12.2003) by S.I. 2003/3142, art. 1(3))); S.I. 2003/3142, [art. 3\(2\)](#) (with art. 11)

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Sch. 4 para. 1(2)(b) modified (29.12.2003) by [Communications Act 2003 \(c. 21\)](#), ss. 294(1), 411(2)(3), [Sch. 11 para. 10\(7\)](#) (with transitional provisions in [Sch. 18](#)); S.I. 2003/3142, [art. 3\(1\)](#) (subject to arts. 3(3), 11)

**C2** Sch. 4 para. 1(2)(b) applied (with modifications) by 2003 c. 21, s. 194A(5) (as inserted (31.7.2017) by [Digital Economy Act 2017 \(c. 30\)](#), [ss. 87\(5\)](#), 118(6) (with s. 87(12)); S.I. 2017/765, reg. 2(w))

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