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**Changes to legislation:** There are currently no known outstanding effects for the Courts and Tribunals (Judiciary and Functions of Staff) Act 2018, Paragraph 45. (See end of Document for details)

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## SCHEDULE

### AUTHORISED COURT AND TRIBUNAL STAFF: LEGAL ADVICE AND JUDICIAL FUNCTIONS

#### PART 2

#### TRIBUNALS

##### *Tribunals, Courts and Enforcement Act 2007*

45 After paragraph 28 insert—

*“Delegation of functions to staff: reconsideration of decisions*

- 28A(1) Before making Rules that provide for the exercise of functions of the First-tier Tribunal or Upper Tribunal by authorised persons by virtue of paragraph 3, the Committee must take the following steps in relation to each of the functions in question.
- (2) The Committee must consider whether the Rules should include a right for the parties to proceedings in which a decision is made by an authorised person exercising the function to have the decision reconsidered by a judicial office holder.
  - (3) If the Committee considers that the rules should include such a right, it must include provision to that effect when it makes the Rules.
  - (4) If the Committee does not consider that the rules should include such a right, it must inform the Lord Chancellor of—
    - (a) its decision, and
    - (b) its reasons for reaching that decision.
  - (5) In this paragraph “authorised person” and “judicial office holder” have the same meanings as in Chapter 2A of Part 1 of this Act (see section 29A).”

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#### **Commencement Information**

- I1** Sch. para. 45 in force at 10.1.2020 for specified purposes by S.I. 2020/24, reg. 2(b)(iv)  
**I2** Sch. para. 45 in force at 6.4.2020 in so far as not already in force by S.I. 2020/24, reg. 3(b)

**Changes to legislation:**

There are currently no known outstanding effects for the Courts and Tribunals (Judiciary and Functions of Staff) Act 2018, Paragraph 45.