
 S T A T U T O R Y I N S T R U M E N T S

1986 No. 366

PENSIONS

**The Pensions Appeal Tribunals (England and Wales) (Amendment)
Rules 1986**

<i>Made - - - -</i>	<i>25th February 1986</i>
<i>Laid before Parliament</i>	<i>6th March 1986</i>
<i>Coming into Operation</i>	<i>1st April 1986</i>

The Lord Chancellor, in the exercise of the powers conferred upon him by section 6 of, and paragraphs 5, 6 and 6A of the Schedule to, the Pensions Appeal Tribunals Act 1943(a), and after consultation with the Council on Tribunals in accordance with section 10 of the Tribunals and Inquiries Act 1971(b), hereby makes the following Rules:—

1. These Rules may be cited as the Pensions Appeal Tribunals (England and Wales) (Amendment) Rules 1986 and shall come into operation on 1st April 1986.

2. The Pensions Appeal Tribunals (England and Wales) Rules 1980(c) shall be amended by inserting, after rule 32, the following new rule:—

“Application for transfer of proceedings

32A.—(1) An applicant who, at the time when notice of appeal was given, did not reside in any part of the United Kingdom, may at any time apply to the President for his case to be transferred from a tribunal appointed for England and Wales to a tribunal appointed for Scotland, or as the case may be, Northern Ireland.

(2) An application under this rule shall be on the grounds that either:—

- (i) the appellant has a closer connection with Scotland or, as the case may be, with Northern Ireland than with England and Wales; or
- (ii) there is some other good reason for the appeal to be heard in Scotland or, as the case may be, Northern Ireland

and shall give the facts in support of the application.

(3) Where the President is satisfied as to either of the grounds set out in paragraph (2) of this rule, he may direct that the appeal should be heard by a tribunal appointed for Scotland or, as the case may be, Northern Ireland.

(a) 1943 c. 39; paragraph 6 of the Schedule was amended, and paragraph 6A inserted, by section 59 of the Administration of Justice Act 1985 (c. 61).
 (b) 1971 c. 62. (c) S.I. 1980/1120.

(4) Any decision of the President under these rules shall be communicated to the appellant and, where applicable, to the office of the tribunal to which the appeal has been transferred.

(5) Where the President refuses an application under this rule he shall indicate briefly his reasons for so doing.”

Hailsham of St. Marylebone, C.

Dated 25th February 1986.

EXPLANATORY NOTE

(This Note is not part of the Rules.)

These Rules provide a procedure whereby an appellant who, at the time of giving notice of appeal, is not resident in any part of the United Kingdom, may apply to the President of the Pensions Appeal Tribunals to have his appeal heard by a tribunal in Scotland or, as the case may be, Northern Ireland rather than by a tribunal in England and Wales.

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