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## STATUTORY INSTRUMENTS

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# 2008 No. 2698

## The Tribunal Procedure (Upper Tribunal) Rules 2008

### PART 7

Correcting, setting aside, reviewing and appealing decisions of the Upper Tribunal

#### **Review of a decision in proceedings under the Forfeiture Act 1982**

**47.**—(1) A person who referred a question to the Upper Tribunal under rule 26 (references under the Forfeiture Act 1982) must refer the Upper Tribunal's previous decision in relation to the question to the Upper Tribunal if they—

- (a) consider that the decision should be reviewed; or
- (b) have received a written application for the decision to be reviewed from the person to whom the decision related.

(2) The Upper Tribunal may review the decision if—

- (a) the decision was erroneous in point of law;
- (b) the decision was made in ignorance of, or was based on a mistake as to, some material fact; or
- (c) there has been a relevant change in circumstances since the decision was made.

(3) When a person makes the reference to the Upper Tribunal, they must also notify the person to whom the question relates that the reference has been made.

(4) The Upper Tribunal must notify the person who made the reference and the person to whom the question relates of the outcome of the reference.

(5) If the Upper Tribunal decides to take any action in relation to a decision following a review under this rule without first giving the person who made the reference and the person to whom the question relates an opportunity to make representations, the notice under paragraph (4) must state that either of those persons who did not have an opportunity to make representations may apply for such action to be set aside and for the decision to be reviewed again.

**Status:**

Point in time view as at 03/11/2008. This version of this provision has been superseded.

**Changes to legislation:**

The Tribunal Procedure (Upper Tribunal) Rules 2008, Section 47 is up to date with all changes known to be in force on or before 18 July 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.