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*Status: Point in time view as at 10/04/2020.*

*Changes to legislation: The Tribunal Procedure (Upper Tribunal) Rules 2008, Section 5A is up to date with all changes known to be in force on or before 24 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)*

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## STATUTORY INSTRUMENTS

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# 2008 No. 2698

## The Tribunal Procedure (Upper Tribunal) Rules 2008

### PART 2

#### General powers and provisions

#### [<sup>F1</sup>Coronavirus temporary rule (decisions without a hearing)]

**5A.**—(1) Notwithstanding anything in rule 34 (decision with or without a hearing), the Upper Tribunal may make a decision which disposes of proceedings without a hearing if the Upper Tribunal considers that the conditions in paragraph (2) are satisfied.

(2) The conditions are—

- (a) the matter is urgent;
- (b) it is not reasonably practicable for there to be a hearing (including a hearing where the proceedings would be conducted wholly or partly as video proceedings or audio proceedings); and
- (c) it is in the interests of justice to do so.

(3) This rule does not prejudice any power of the Upper Tribunal to make a decision which disposes of proceedings without a hearing other than under this rule.]

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#### Textual Amendments

- F1** Rule 5A inserted (temp.) (10.4.2020) by virtue of [The Tribunal Procedure \(Coronavirus\) \(Amendment\) Rules 2020 \(S.I. 2020/416\)](#), rules 1(2), **5(2)**

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