

## STATUTORY INSTRUMENTS

# 2008 No. 2698

## The Tribunal Procedure (Upper Tribunal) Rules 2008

### PART 6

#### Decisions

##### Consent orders

**39.**—(1) The Upper Tribunal may, at the request of the parties but only if it considers it appropriate, make a consent order disposing of the proceedings and making such other appropriate provision as the parties have agreed.

(2) Notwithstanding any other provision of these Rules, the Tribunal need not hold a hearing before making an order under paragraph (1)<sup>F1</sup> ....

##### Textual Amendments

**F1** Words in rule 39(2) omitted (1.4.2009) by virtue of [Tribunal Procedure \(Amendment\) Rules 2009 \(S.I. 2009/274\)](#), rules 1, **20**

##### Decisions

**40.**—(1) The Upper Tribunal may give a decision orally at a hearing.

(2) <sup>F2</sup>... The Upper Tribunal must provide to each party as soon as reasonably practicable after making a decision which finally disposes of all issues in the proceedings (except a decision under Part 7)—

- (a) a decision notice stating the Tribunal's decision; and
- (b) notification of any rights of review or appeal against the decision and the time and manner in which such rights of review or appeal may be exercised.

(3) [<sup>F3</sup>Subject to rule [<sup>F4</sup>14(11) (prevention of disclosure or publication of documents and information)],] the Upper Tribunal must provide written reasons for its decision with a decision notice provided under paragraph (2)(a) unless—

- (a) the decision was made with the consent of the parties; or
- (b) the parties have consented to the Upper Tribunal not giving written reasons.

(4) The [<sup>F5</sup>Upper] Tribunal may provide written reasons for any decision to which paragraph (2) does not apply.

##### Textual Amendments

**F2** Words in rule 40(2) omitted (1.4.2009) by virtue of [Tribunal Procedure \(Amendment\) Rules 2009 \(S.I. 2009/274\)](#), rules 1, **21(a)**

**Status:** Point in time view as at 01/09/2009.

**Changes to legislation:** The Tribunal Procedure (Upper Tribunal) Rules 2008, PART 6 is up to date with all changes known to be in force on or before 28 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)

- F3** Words in rule 40(3) inserted (1.4.2009) by Tribunal Procedure (Amendment) Rules 2009 (S.I. 2009/274), rules 1, **21(b)**
- F4** Words in rule 40(3) substituted (1.9.2009) by The Tribunal Procedure (Amendment No. 2) Rules 2009 (S.I. 2009/1975), rules 1, **21(a)**
- F5** Word in rule 40(4) inserted (1.9.2009) by The Tribunal Procedure (Amendment No. 2) Rules 2009 (S.I. 2009/1975), rules 1, **21(b)**

**Status:**

Point in time view as at 01/09/2009.

**Changes to legislation:**

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