
STATUTORY INSTRUMENTS

2009 No. 1976

The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009

PART 1

Introduction

Citation, commencement, application and interpretation

1.—(1) These Rules may be cited as the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 and come into force on 1st September 2009.

[^{F1}(2) These Rules apply to proceedings before the General Regulatory Chamber of the First-tier Tribunal.]

(3) In these Rules—

“the 2007 Act” means the Tribunals, Courts and Enforcement Act 2007;

“appellant” means a person who—

- (a) commences Tribunal proceedings, whether by making an appeal, an application, a claim, a complaint, a reference or otherwise; or
- (b) is added or substituted as an appellant under rule 9 (addition, substitution and removal of parties);

“charities case” means an appeal or application in respect of a decision, order or direction of the Charity Commission, or a reference under Schedule 1D of the Charities Act 1993;

“document” means anything in which information is recorded in any form, and an obligation under these Rules or any practice direction or direction to provide or allow access to a document or a copy of a document for any purpose means, unless the Tribunal directs otherwise, an obligation to provide or allow access to such document or copy in a legible form or in a form which can be readily made into a legible form;

^{F2}
...

“hearing” means an oral hearing and includes a hearing conducted in whole or in part by video link, telephone or other means of instantaneous two-way electronic communication;

“notice of appeal” means a document which starts proceedings;

“party” means—

- (a) a person who is an appellant or a respondent;
- (b) if the proceedings have been concluded, a person who was an appellant or a respondent when the Tribunal finally disposed of all issues in the proceedings;

“practice direction” means a direction given under section 23 of the 2007 Act;

“respondent” means—

Status: Point in time view as at 18/01/2016.

Changes to legislation: There are currently no known outstanding effects for the The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009, PART 1. (See end of Document for details)

- (a) in proceedings appealing against or challenging a decision, direction or order, the person who made the decision, direction or order appealed against or challenged;
- (b) a person against whom an appellant otherwise brings proceedings; or
- (c) a person added or substituted as a respondent under rule 9 (addition, substitution and removal of parties);

“transport case” means proceedings under the Road Traffic Act 1988 ^{M1}, the Road Traffic Offenders Act 1988 ^{M2}, the Greater London Authority Act 1999 ^{M3}, the Postal Services Act 2000 ^{M4}, the Vehicle Drivers (Certificates of Professional Competence) Regulations 2007 ^{M5}^{F3}, the European Communities (Recognition of Professional Qualifications) Regulations 2007 and the European Union (Recognition of Professional Qualifications) Regulations 2015];

“Tribunal” means the First-tier Tribunal.

Textual Amendments

- F1** Rule 1(2) substituted (29.11.2010) by [The Tribunal Procedure \(Amendment No. 3\) Rules 2010 \(S.I. 2010/2653\)](#), arts. 1, **2(2)**
- F2** Words in rule 1(3) omitted (1.4.2011) by virtue of [The Tribunal Procedure \(Amendment\) Rules 2011 \(S.I. 2011/651\)](#), arts. 1(2)(a), **2(2)**
- F3** Words in rule 1 substituted (18.1.2016) by [The European Union \(Recognition of Professional Qualifications\) Regulations 2015 \(2015/2059\)](#), regs. 1, 76(2)

Modifications etc. (not altering text)

- C1** Rule applied (31.3.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading’s Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(5), **Sch. 3 para. 6(b)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)

Marginal Citations

- M1** 1988 c. 52.
- M2** 1988 c. 53.
- M3** 1999 c. 29.
- M4** 2000 c. 26.
- M5** S.I. 2007/605.

Overriding objective and parties' obligation to co-operate with the tribunal

2.—(1) The overriding objective of these Rules is to enable the Tribunal to deal with cases fairly and justly.

(2) Dealing with a case fairly and justly includes—

- (a) dealing with the case in ways which are proportionate to the importance of the case, the complexity of the issues, the anticipated costs and the resources of the parties;
- (b) avoiding unnecessary formality and seeking flexibility in the proceedings;
- (c) ensuring, so far as practicable, that the parties are able to participate fully in the proceedings;
- (d) using any special expertise of the Tribunal effectively; and
- (e) avoiding delay, so far as compatible with proper consideration of the issues.

(3) The Tribunal must seek to give effect to the overriding objective when it—

- (a) exercises any power under these Rules; or

- (b) interprets any rule or practice direction.
- (4) Parties must—
 - (a) help the Tribunal to further the overriding objective; and
 - (b) co-operate with the Tribunal generally.

Alternative dispute resolution and arbitration

- 3.—(1) The Tribunal should seek, where appropriate—
 - (a) to bring to the attention of the parties the availability of any appropriate alternative procedure for the resolution of the dispute; and
 - (b) if the parties wish, and provided that it is compatible with the overriding objective, to facilitate the use of the procedure.
- (2) Part 1 of the Arbitration Act 1996 ^{M6} does not apply to proceedings before the Tribunal.

Marginal Citations

M6 1996 c.23.

Status:

Point in time view as at 18/01/2016.

Changes to legislation:

There are currently no known outstanding effects for the The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009, PART 1.