
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 [^{F2}, including where the Tribunal exercises its jurisdiction under section 61(4) of the Freedom of Information Act 2000 and section 202(2) of the Data Protection Act 2018].]

(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);

[^{F3}“certification case” means a case in which the Tribunal may certify an offence to the Upper Tribunal under section 61(4) of the Freedom of Information Act 2000 or section 202(2) of the Data Protection Act 2018;]

[^{F4}“charities case” means—

- (a) an appeal or application in respect of a decision, order or direction of the Charity Commission listed in column 1 of Schedule 6 to the Charities Act 2011;
- (b) a reference under section 325 or 326 of the Charities Act 2011; or
- (c) an application under section 324A of the Charities Act 2011;]

“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;

^{F5}
...

“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;

Status: Point in time view as at 01/11/2022.

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)

“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;

[^{F6}“PDO or PGI wine decision” means a decision of the Secretary of State to approve or reject an application made under Article 94 of Regulation 1308/2013 of the European Parliament and of the Council establishing a common organisation of the markets in agricultural products for protection of a wine name as a designation of origin or geographical indication;]

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

[^{F7}“REACH Agency” means the “Agency” as defined in Article 3(18) of Regulation (EC) No 1907/2006 of the European Parliament and of the Council concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency;]

“respondent” means—

- (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}[^{F8}, 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(2) inserted (3.6.2019) by [The Tribunal Procedure \(Amendment\) Rules 2019](#) (S.I. 2019/925), rules 1(2), **3(2)(a)**
- F3** Words in rule 1(3) inserted (3.6.2019) by [The Tribunal Procedure \(Amendment\) Rules 2019](#) (S.I. 2019/925), rules 1(2), **3(2)(b)**
- F4** Words in rule 1(3) substituted (1.11.2022) by [The Tribunal Procedure \(Amendment No. 2\) Rules 2022](#) (S.I. 2022/1030), rules 1, **2(2)**
- F5** 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)**
- F6** Words in rule 1(3) inserted (31.12.2020) by [The Common Organisation of the Markets in Agricultural Products and Common Agricultural Policy \(Miscellaneous Amendments\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/828), regs. 1, **60**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in rule 1(3) inserted (31.12.2020) by [The REACH etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/758), reg. 1(1), **Sch. 11 para. 3(2)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** 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 01/11/2022.

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.