STATUTORY INSTRUMENTS

2010 No. 747

The Tribunal Procedure (Upper Tribunal) (Amendment) Rules 2010

Amendments to the Tribunal Procedure (Upper Tribunal) Rules 2008

4. In rule 1(3) (interpretation)—

  (a) for the definition of "applicant" substitute—

    ""applicant" means—

      (a) a person who applies for permission to bring, or does bring, judicial review proceedings before the Upper Tribunal and, in judicial review proceedings transferred to the Upper Tribunal from a court, includes a person who was a claimant or petitioner in the proceedings immediately before they were transferred; or

      (b) a person who refers a financial services case to the Upper Tribunal;";

  (b) after the definition of "fast-track case" insert—

    ""financial services case" means a reference to the Upper Tribunal in respect of—

      (a) a decision of the Financial Services Authority;

      (b) a decision of the Bank of England;

      (c) a decision of the Pensions Regulator; or

      (d) a decision of a person relating to the assessment of any compensation or consideration under the Banking (Special Provisions) Act 2008(**1**) or the Banking Act 2009(**2**);";

  (c) in the definition of "interested party"—

    (i) in sub-paragraph (a) for "(substitution and addition of parties)" substitute "(addition, substitution and removal of parties)";

    (ii) after sub-paragraph (a) omit "and"; and

    (iii) after sub-paragraph (b) insert—

    "and

      (c) in a financial services case, any person other than the applicant who could have referred the case to the Upper Tribunal and who has been added or substituted as an interested party under rule 9 (addition, substitution and removal of parties);";

  (d) in the definition of "party" after "question" insert "or matter";

  (e) after the definition of "practice direction" insert—

    ""reference", in a financial services case, includes an appeal;"; and

  (f) in the definition of "respondent" after sub-paragraph (d)—

(**1**) 2008 c.2.
(**2**) 2009 c.1.

2

(i) omit "or"; and

(ii) insert—

"(da) in a financial services case, the maker of the decision in respect of which a reference has been made; or"