

SCHEDULE 1

Consequential provisions – primary legislation

PART 3

Provisions consequential upon transfer of functions from and abolition of the Adjudicator to Her Majesty's Land Registry

Land Registration Act 2002

231. In section 111 (appeals)—

(a) For subsections (1) and (2), substitute—

“(1) Subject to this section, a person aggrieved by a decision of the First-tier Tribunal under this Act may appeal to the Upper Tribunal.

(2) An appeal may not be brought under subsection (1) on a point of law (as to which see instead section 11 of the Tribunals, Courts and Enforcement Act 2007 (right of appeal to Upper Tribunal)).

(2A) An appeal may not be brought under subsection (1) in the case of a decision under paragraph 4 of Schedule 5 (but this does not prevent an appeal on a point of law under section 11 of the Tribunals, Courts and Enforcement Act 2007).

(2B) An appeal may not be brought under subsection (1) if the decision is set aside under section 9 of the Tribunals, Courts and Enforcement Act 2007 (review of decision of First-tier Tribunal).

(2C) An appeal may be brought under subsection (1) only if, on an application made by the person concerned, the First-tier Tribunal or Upper Tribunal has given its permission for the appeal to be brought.”;

(b) in subsection (3)—

(i) after “under this section” insert “or under section 11 of the Tribunals, Courts and Enforcement Act 2007”;

(ii) for “court” in both places, substitute “Upper Tribunal”;

(c) after subsection (3) insert—

“(4) In any case where the Upper Tribunal is determining an appeal under subsection (1), section 12(2) to (4) of the Tribunals, Courts and Enforcement Act 2007 (proceedings on appeal to the Upper Tribunal) apply.”