

EXPLANATORY NOTE

(This note is not part of the Rules)

Rule 2 amends the Tribunal Procedure (First-tier Tribunal) (Social Entitlement Chamber) Rules 2008 (S.I. 2008/2685) to correct a drafting error in rule 23(2) of those Rules. The amendment clarifies that the time period for an appeal is calculated separately under sub-paragraphs (a) and (b), and the wording “no later than the latest of” should relate to sub-paragraph (a) only.

Rule 3 amends the Tribunal Procedure (Upper Tribunal) Rules 2008 (S.I. 2008/2698). Rules 3(2) (a) and 3(3) make amendments to those Rules that are consequential on changes made by the Data Protection Act 2018 (c. 12) in respect of national security certificate cases. Rule 3(2)(b) amends the definition of “respondent” in those Rules to clarify that in the case of an application for permission to appeal other than an appeal against a tribunal decision, the respondent is the person who made the decision that has been challenged.

Rule 4 amends the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009. The amendments are consequential on changes made by the Data Protection Act 2018 in respect of national security certificate cases, with the exception of Rule 4(3)(a), which corrects an incorrect cross-reference in Rule 22(5). Rule 4(3)(b)(v) prescribes a new time limit for an application to be brought under section 166(2) of the Data Protection Act 2018 (orders to progress complaints).

Rule 5 amends the Tribunal Procedure (First-tier Tribunal) (Immigration and Asylum Chamber) Rules 2014 (S.I. 2014/2604). The amendment deletes an obsolete cross-reference to rule 41(4).

No impact assessment has been carried out for these amendments as no, or no significant, impact on the private, voluntary, or public sectors is foreseen.