
STATUTORY INSTRUMENTS

2009 No. 1021

TRIBUNALS AND INQUIRIES

**The First-tier Tribunal and Upper Tribunal
(Chambers) (Amendment No. 2) Order 2009**

<i>Made</i>	- - - -	<i>28th April 2009</i>
<i>Laid before Parliament</i>		<i>30th April 2009</i>
<i>Coming into force</i>	- -	<i>1st June 2009</i>

The Lord Chancellor, with the concurrence of the Senior President of Tribunals, makes the following Order in exercise of the power conferred by section 7(1) and (9) of the Tribunals, Courts and Enforcement Act 2007⁽¹⁾.

Citation and commencement

1. This order may be cited as the First-tier Tribunal and Upper Tribunal (Chambers) (Amendment No. 2) Order 2009 and comes into force on 1st June 2009.

Amendments to the First-tier Tribunal and Upper Tribunal (Chambers) Order 2008

2. The First-tier Tribunal and Upper Tribunal (Chambers) Order 2008⁽²⁾ is amended as follows.
3. In article 3(c) (functions of the Social Entitlement Chamber) after “vaccine damage payment,” insert “health in pregnancy grant.”
4. In article 6 (Upper Tribunal Chambers) after sub-paragraph (b) insert—
“*(c)* the Lands Chamber.”
5. After article 8 (functions of the Finance and Tax Chamber) insert—

“Functions of the Lands Chamber

9. To the Lands Chamber are assigned—
 - (a) all functions relating to—

⁽¹⁾ 2007 c. 15.

⁽²⁾ S.I. 2008/2684 as amended by the First-tier Tribunal and Upper Tribunal (Chambers) (Amendment) Order 2009 (S.I. 2009/196).

- (i) compensation and other remedies for measures taken which affect the ownership, value, enjoyment or use of land or water, or of rights over or property on land or water;
 - (ii) appeals from decisions of leasehold valuation tribunals, residential property tribunals and valuation tribunals;
 - (iii) appeals on questions of the value of land or interests in land arising in tax proceedings; and
 - (iv) proceedings in respect of restrictive covenants, blight notices or the obstruction of light;
- (b) the Upper Tribunal's function as arbitrator under section 1(5) of the Lands Tribunal Act 1949⁽³⁾; and
- (c) any other functions transferred to the Upper Tribunal by the Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009.

Resolution of doubt or dispute as to chamber

10. If there is any doubt or dispute as to the chamber in which a particular matter is to be dealt with, the Senior President of Tribunals may allocate that matter to the chamber which appears to the Senior President of Tribunals to be most appropriate.”.

By authority of the Lord Chancellor

21st April 2009

Bridget Prentice
Parliamentary Under Secretary of State
Ministry of Justice

I concur

28th April 2009

Robert Carnwath
Senior President of Tribunals

(3) 1949 c.42. Section 1(5) was amended by paragraph 11 of Schedule 1 to the Transfer of Tribunal Functions (Lands Tribunal and Miscellaneous Amendments) Order 2009.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the First-tier Tribunal and Upper Tribunal (Chambers) Order 2008 (the “2008 Order”). The 2008 Order organised the First-tier Tribunal and Upper Tribunal into chambers and made provision for the allocation of those tribunals’ functions between the chambers. This adds functions relating to appeals regarding health in pregnancy grant to the functions assigned to the Social Entitlement Chamber. It also creates a new Lands Chamber in the Upper Tribunal, and allocates functions to this new chamber. Finally, the Order provides that where there is doubt or dispute as to the chamber in which a case should be heard, the Senior President of Tribunals may allocate the case to the most appropriate chamber.