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TRIBUNALS
JUDICIARY

PRACTICE STATEMENT

DELEGATION OF FUNCTIONS TO REGISTRAR AND TRIBUNAL CASEWORKERS ON OR AFTER 29 SEPTEMBER 2017 IN THE FIRST-TIER TRIBUNAL (GENERAL REGULATORY CHAMBER)

1. This Practice Statement replaces the previous Practice Statement dated 9 April 2013 in respect of the delegation of certain judicial functions to the Registrar.
2. In accordance with rule 4(1) of the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (“the GRC Rules”), the Senior President of Tribunals hereby approves that a member of staff appointed under section 40(1) of the Tribunals, Courts and Enforcement Act 2007 (the 2007 Act”) and designated by the President of the General Regulatory Chamber of the First-tier Tribunal (“the GRC”) as a “GRC Caseworker” may carry out the following functions of the GRC under the Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (“the Rules”), to the extent that that GRC Caseworker has been authorised to exercise those functions by the GRC President:
 - (a) under rule 5(3)(a), to extend the time for complying with any other rule, practice direction or direction, so long as all parties agree;
 - (b) under rule 5(3)(d), to issue standard directions for a party or person to provide any specified documents or information relevant to the proceedings. These directions are to be in standard form, as approved from time to time by the GRC President;
 - (c) under rule 5(3)(g), to grant permission for witnesses (including a party) to give evidence by video/telephone link and/or for a party to make submissions by such means, so long as all parties are in agreement and Her Majesty’s Courts and Tribunals Service has confirmed that the necessary equipment is available at the hearing venue;

- (d) under rule 5(3)(h), to bring hearings forward or grant postponements, so long as the change of date is agreed by all the parties and the new date can be accommodated by the GRC and is within its case listing window;
 - (e) under rule 7(2)(a) or (b), to deal with any irregularities resulting from failures to comply with rules, practice directions or directions, by waiving the requirement concerned or requiring the failure to be remedied;
 - (f) under rule 9, to give directions to make any person a party to the proceedings;
 - (g) under rule 17, to consent to the withdrawal of a case, or direct the reinstatement of a case; and
 - (h) under rule 40, to correct clerical mistakes or other accidental slips or omissions.
3. In accordance with rule 4(3), within 14 days after the date that the Tribunal sends notice to a party or person of a decision made by a GRC Caseworker pursuant to paragraph 2 above (including a decision not to take any action thereunder), that party or person may apply in writing to the Tribunal for the decision to be considered afresh and, if so, it will be considered afresh by a judge or by a GRC Registrar, pursuant to paragraph 4(a) below.
4. In accordance with rule 4(1) of the GRC Rules, the Senior President of Tribunals hereby approves that a legally qualified member of staff appointed under section 40(1) of the 2007 Act and designated by the GRC President as a "GRC Registrar" may carry out the following functions to the extent that that Registrar has been authorised to exercise those functions by the GRC President:
- (a) under rule 4(3), to exercise the powers of a judge where a GRC Caseworker has made the initial decision under a delegated power specified in paragraph 2 above;
 - (b) under rule 5, to exercise any case management powers;
 - (c) under rule 7, to deal with any irregularities resulting from failures to comply with rules, practice directions or directions;
 - (d) under rule 8, to strike out or reinstate proceedings and make summary determinations under rule 8(8);
 - (e) under rule 9, to give directions to add, substitute or remove a party;

- (f) under rule 10(1), to make orders in respect of costs (or, in Scotland, expenses), on application by a party, but not where the application relates to a decision made by a judge (whether alone or with one or more members);
- (g) under rule 14, to make orders prohibiting the disclosure or publication of documents or information;
- (h) under rule 15(1), to give directions in relation to the giving of oral or written evidence and submissions;
- (i) under rule 16, to summons witnesses and issue orders to persons to answer questions or produce documents;
- (j) under rule 17, to consent to the withdrawal of a case, or to direct its reinstatement;
- (k) under rules 19A and 20, to make decisions and directions regarding the suspension, staying or sisting of decisions that are or may be the subject of appeals to, or other proceedings in, the Tribunal;
- (l) under rule 37, to make consent orders;
- (m) under rule 40, to correct any clerical mistake or other accidental slip or omission in a decision;
- (n) under rule 41, to set aside a decision which disposes of proceedings, where that decision has been made by a GRC Registrar pursuant to this paragraph;
- (o) under rules 43 and 44, to decide applications for permission to appeal (whether by undertaking a review or otherwise), where the decision which is the subject of the application has been made by a GRC Registrar pursuant to sub-paragraph (a) above; and
- (p) under rule 45, to treat an application as a different type of application.

5. In accordance with rule 4(3), within 14 days after the date that the Tribunal sends notice to a party or a person of a decision made by a GRC Registrar pursuant to paragraph 4 above (including a decision not to take any action thereunder), that party or person may apply in writing to the Tribunal for the decision to be considered afresh by a judge.

SIR ERNEST RYDER
SENIOR PRESIDENT OF TRIBUNALS
25 September 2017