



# Senior President of Tribunals

## PRACTICE DIRECTION

Composition of the First-tier Tribunal in relation to matters that fall to be decided by the War Pensions and Armed Forces Compensation Chamber

1. In this Practice Direction:
  - (a) “the Rules” means the Tribunal Procedure (First-tier Tribunal) (War Pensions and Armed Forces Compensation Chamber) Rules 2008;
  - (b) “the 2008 Order” means the First-tier Tribunal and Upper Tribunal (Composition of Tribunal) Order;
2. In exercise of the powers conferred by the 2008 Order, the Senior President of Tribunals, having consulted the Lord Chancellor, makes the following determinations and supplementary provision in relation to matters that fall to be determined by the War Pensions and Armed Forces Compensation Chamber on or after 19 June 2023. These supersede all previous determinations in respect of the War Pensions and Armed Forces Compensation Chamber.
3. A decision that disposes of proceedings (except a decision under Part 4 of the Rules) made at, or following, a hearing must be made by:
  - (a) one judge;
  - (b) one other member who has substantial experience of service in His Majesty’s naval, military or air forces or who is a transferred-in other member from the Pensions Appeal Tribunal and is not a registered medical practitioner; and
  - (c) one other member who is a registered medical practitioner.
4. A decision that disposes of proceedings without a hearing, or a decision that determines a preliminary issue (whether or not at a hearing), may be made by either one judge, or by three members as set out in paragraph 3, as the Chamber President considers appropriate.
5. Where the Tribunal has given a decision that disposes of proceedings (“the substantive decision”), any matter decided under, or in accordance with rule 5(3)(l) or Part 4 of the Rules, or section 9 of the Tribunals, Courts and Enforcement Act 2007 must be decided by one judge unless the Chamber President considers it appropriate that it is decided by the same members as gave the substantive decision.
6. Any other decision must be made by one judge.
7. Where the Tribunal consists of more than one member the “presiding member” for the purposes of article 7 of the 2008 Order will be the judge.

8. In rule 24(1) (medical examinations and commissioning of medical evidence) of the Rules “an appropriate member” of the Tribunal is an other member who is a registered medical practitioner.

**Sir Keith Lindblom**  
Senior President of Tribunals

19 May 2023