

2007 No. 2709 (C. 104)

TRIBUNALS AND INQUIRIES

JUDICIAL APPOINTMENTS AND DISCIPLINE

ACQUISITION OF LAND, ENGLAND AND WALES

**The Tribunals, Courts and Enforcement Act 2007
(Commencement No. 1) Order 2007**

Made - - - - *13th September 2007*

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 148(5) of the Tribunals, Courts and Enforcement Act 2007(a).

Citation and interpretation

1.—(1) This Order may be cited as the Tribunals, Courts and Enforcement Act 2007 (Commencement No. 1) Order 2007.

(2) In this Order, “the Act” means the Tribunals, Courts and Enforcement Act 2007.

Provisions coming into force on 19th September 2007

2. The following provisions of the Act come into force on 19th September 2007—

- (a) sections 1, 2, 7(1) and (9), 9(3), 10(3), 11(5)(f) and (6) to (8), 13(6), (8)(f), (9), (10), (14) and (15), 18(10) and (11), 20(3), (6) and (7), 21(6), 22, 27(5) and (6), 30 to 42, 45(3), 49, 54, 58, 59, 61 and 144(1), (5) and (7);
- (b) section 46 to the extent that it relates to Schedule 5;
- (c) section 48(1) to the extent that it relates to the following paragraphs of Schedule 8—
 - (i) paragraphs 31(1) to (3), 62, 63 and 65(1) and (2); and
 - (ii) paragraph 65(3) to the extent that it relates to the Senior President of Tribunals;
- (d) section 48(2) to the extent that it relates to paragraphs 1, 2 and 12(2) of Schedule 9;
- (e) sections 50(1) to (5) and (7), 51 and 52 for the purposes of paragraph 3 of Schedule 1;
- (f) section 144(11) to the extent that it relates to Part 1 and section 51;
- (g) in Schedule 1, paragraphs 1 to 11;
- (h) in Schedule 4, paragraph 15;
- (i) Schedule 5;
- (j) Schedule 6; and

- (k) in Schedule 7, paragraphs 25(2) to (7) and 26 to 28.

Provisions coming into force on 1st November 2007

3. The following provisions of the Act come into force on 1st November 2007—
- (a) sections 44, 45(1) and (2) and 146;
 - (b) section 48(1) to the extent that it relates to the following paragraphs of Schedule 8—
 - (i) paragraphs 2, 3, 8 to 12, 14, 15, 17, 19 to 23, 30(a) to (c), 32, 33(1) and (2), 49 to 52 and 56 to 61;
 - (ii) paragraphs 4, 5, 7 and 53 to the extent that they relate to the Administrative Justice and Tribunals Council and to the Scottish Committee of the Administrative Justice and Tribunals Council; and
 - (iii) paragraph 18 to the extent that it relates to the Administrative Justice and Tribunals Council;
 - (c) in Schedule 7—
 - (i) paragraphs 1 to 6, 10(1)(a) and (b), (2)(a) and (b), (3)(a) and (b) and (4), 12, 13, 14(1), (2), (3)(a) and (4), 15 to 18, 20, 21(1), (2), (4) and (5), 22(1)(a) and (b) and (2), 23 and 25(1);
 - (ii) paragraphs 11 and 22(3) to the extent that they relate to the Administrative Justice and Tribunals Council and to the Scottish Committee of the Administrative Justice and Tribunals Council; and
 - (iii) paragraph 21(6) to the extent that it relates to reports made by the Administrative Justice and Tribunals Council; and
 - (d) in Part 1 of Schedule 23, the entries relating to—
 - (i) the House of Commons Disqualification Act 1975(a);
 - (ii) the Northern Ireland Assembly Disqualification Act 1975(b);
 - (iii) the Race Relations Act 1976(c);
 - (iv) the Estate Agents Act 1979(d);
 - (v) sections 1, 2, 3, 4 and 13(5)(c) of the Tribunals and Inquiries Act 1992(e);
 - (vi) the Scotland Act 1998 (Cross-Border Public Authorities) (Adaptation of Functions etc.) Order 1999(f) to the extent that Schedule 9 applies to sections 2 and 4 of the Tribunals and Inquiries Act 1992;
 - (vii) the Freedom of Information Act 2000(g); and
 - (viii) the Scottish Public Services Ombudsman Act 2002 (Consequential Provisions and Modifications) Order 2004(h).

Provisions coming into force on 1st December 2007

4. Section 48(1) of the Act comes into force on 1st December 2007 to the extent that it relates to paragraphs 35 to 39 of Schedule 8.

(a) 1975 c.24.
(b) 1975 c.25.
(c) 1976 c.74.
(d) 1979 c.38.
(e) 1992 c.53.
(f) S.I. 1999/1747.
(g) 2000 c.36.
(h) S.I. 2004/1823.

Provisions coming into force on 1st April 2008

5. The following provisions of the Act come into force on 1st April 2008—

- (a) sections 139 and 140; and
- (b) Schedule 22.

Provisions coming into force on 1st June 2008

6. The following provisions of the Act come into force on 1st June 2008—

- (a) all paragraphs of Schedule 7, except paragraph 24, to the extent that they are not already in force; and
- (b) section 48(1) to the extent that it relates to the following paragraphs of Schedule 8—
 - (i) paragraphs 4 and 5 to the extent that they relate to the Welsh Committee of the Administrative Justice and Tribunals Council;
 - (ii) paragraphs 7, 18 and 53, to the extent that they are not already in force; and
 - (iii) paragraph 30(d).

Signed on behalf of the Lord Chancellor

13 September 2007

Michael Wills
Minister of State
Ministry of Justice

EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the first commencement order under the Tribunals, Courts and Enforcement Act 2007 (“the Act”).

The Order brings into force on 19th September 2007 various provisions of the Act including provisions relating to the Senior President of Tribunals and Tribunal Procedure Rules, provisions in Part 2 of the Act relating to judicial appointments, and those provisions of the Act establishing powers to transfer tribunal functions and other order-making powers.

The Order brings into force on 1st November 2007 provisions of the Act which establish and otherwise relate to the Administrative Justice and Tribunals Council and to the Scottish Committee of the Administrative Justice and Tribunals Council.

The Order brings into force on 1st December 2007 provisions of the Act which amend the Employment Tribunals Act 1996(a) so as to create a new title of “Employment Judge”.

The Order brings into force on 1st April 2008 the provisions of the Act which relate to compulsory purchase orders.

The Order brings into force on 1st June 2008 the provisions of the Act which establish and otherwise relate to the new Welsh Committee of the Administrative Justice and Tribunals Council.

The following provisions of the Act are brought into force by this Order:

| <i>Provision</i> | <i>Date of Commencement</i> |
|--|-----------------------------|
| ss 1, 2, 7(1) and (9), 9(3), 10(3), 11(5)(f) and (6) to (8), 13(6), (8)(f), (9), (10), (14) and (15), 18(10) and (11), 20(3), (6) and (7), 21(6), 22, 27(5) and (6), 30 to 42, 45(3), 46 (partially), 48 (partially), 49, 50(1) to (5) (partially) and (7) (partially), 51 (partially), 52 (partially), 54, 58, 59, 61, 144(1), (5) and (7) and 144(11) (partially), paras 1 to 11 of Sch.1, para. 15 of Sch.4, Sch.5, Sch.6, paras 25(2) to (7) and 26 to 28 of Sch.7, paras 31(1) to (3), 62, 63, 65(1) and (2) and 65(3) (partially) of Sch.8 and paras 1, 2 and 12(2) of Sch.9 | 19.09.2007 |
| ss 44, 45(1) and (2), 48(1) (partially) and 146, paras 1 to 6, 10(1)(a) and (b), (2)(a) and (b), (3)(a) and (b) and (4), 11 (partially), 12, 13, 14(1), (2), (3)(a) and (4), 15 to 18, 20, 21(1), (2), (4) and (5), 21(6) (partially), 22(1)(a) and (b) and (2), 22(3) (partially), 23 and 25(1) of Sch.7, paras 2, 3, 4 (partially), 5 (partially), 7 (partially), 8 to 12, 14, 15, 17, 18 (partially), 19 to 23, 30(a) to (c), 32, 33(1) and (2), 49 to 52, 53 (partially) and 56 to 61 of Sch.8 and Part 1 of Sch.23 (partially) | 01.11.2007 |
| s.48(1) (partially) and paras 35 to 39 of Sch.8 | 01.12.2007 |
| ss 139 and 140 and Sch.22 | 01.04.2008 |
| s.48(1) (partially), paras 7 to 9, 10(1)(c), (2)(c) and (3)(c), 11 (now fully), 14(3)(b), 19, 21(3) and (6) (now fully) and 22(1)(c) and (3) (now fully) of Sch.7, para 30(d) of Sch.8, paras 4 and 5 of Sch.8 (partially) and paras 7, 18 and 53 of Sch.8 (now fully) | 01.06.2008 |

(a) 1996 c.17.

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