

Tribunal Procedure Committee

Proposal for inclusion on TPC work programme

Title

This will provide an indication of the subject matter and a reference to the relevant Tribunal or Chamber

Purpose

Please set out what this rule change is intended to achieve.

Background

Please set out the general background to the proposal. This should include details such as (but not limited to):

- *the kinds of case which the change would cover;*
- *what legislation created the right of appeal, claim, application etc*
- *a jargon free explanation of what the cases are about, written for someone with no expertise in the area;*
- *who typically starts these cases (if it is an identifiable group);*
- *which government department, public body or other person is usually the respondent;*
- *what policy or legislative change has triggered the need for a rule change;*
- *when legislation is likely to come into force;*
- *any previous rule or other legislative changes;*
- *any case law relevant to how the rules have been interpreted or relevant to the substantive law underlying the rights of appeal.*

Current provisions

Please set out the existing procedure rules and any relevant primary or secondary legislation (for example the legislation creating the right of appeal or any time limits or restrictions set out in legislation).

Proposal being made

*What change do you want to make to the current provisions?
If possible, include a draft of the new rules that you are proposing.*

Rationale

What is the reason for the change? Why now?

Annex A

Impact of Proposal

Please assess any change in Tribunal workload. Will the proposal lead to an increase in cases issued? Will it result in additional/less time taken to process cases?

Would there be an impact on any other Court or Tribunal rules?

Are transitional provisions needed?

Resulting benefits

Who will benefit from these changes? How will this benefit be quantified? Does the benefit need to be offset against any costs or disadvantages resulting from the change?

Consultation

Are there any particular issues relating to Scotland, Wales and NI and their respective legal systems. If so, have they been consulted? If not, why not?

Is there any impact on other government departments? If so, what? Have they been consulted? Include an assessment of the impact in cost/benefit terms if it is known.

Where the change is being driven by another government department, are they consulting on the proposed changes?

Have any other stakeholders such as Tribunal Chamber Presidents been consulted?

Prioritisation

What would happen if the issue is not taken forward? Are there costs to individual human rights, the rule of law, individual or public finances?

Give a rating of the potential impact of the change not being made – Red, Amber or Green.

Timetable

What is your proposed timetable (bearing in mind the need to allow twelve to fifteen months) before the rule change is made?