

Status: Point in time view as at 19/08/2003.

Changes to legislation: Courts and Legal Services Act 1990, SCHEDULE 6 is up to date with all changes known to be in force on or before 03 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

^{F1}SCHEDULE 6

Section 41.

THE CONVEYANCING APPEAL TRIBUNALS

Textual Amendments

- F1** Sch. 6 repealed (prosp.) by Legal Services Act 2007 (c. 29), ss. 208, 210, 211, Sch. 21 para. 100(c), Sch. 23 (with ss. 29, 192, 193)

Powers of Tribunals

- 1 (1) A Tribunal hearing any appeal shall have power to—
- (a) investigate the facts on which the decision appealed against was based;
 - (b) order the production of documents which it considers are relevant to the appeal;
 - (c) summon witnesses;
 - (d) consider fresh evidence, including evidence which could have been produced to the Board before it made the decision in question;
 - (e) admit any evidence which it considers is relevant to the hearing even though it would not be admissible in proceedings before a court.
- (2) On determining any appeal, a Tribunal may—
- (a) confirm, reverse or vary any decision of the Board which is the subject of the appeal; or
 - (b) remit the case to the Board with directions as to the action to be taken by the Board.

Procedure of Tribunals

- 2 (1) The [^{F2}Secretary of State] may by regulations make provision with respect to the making of appeals to, and the procedure to be followed by, Tribunals.
- (2) The regulations may, in particular, make provision—
- (a) as to the period within which appeals must be brought;
 - (b) for the holding of hearings in private in prescribed circumstances;
 - (c) as to the persons who may appear on behalf of the parties;
 - (d) for enabling hearings to be conducted even though a member of the Tribunal, other than the Chairman, is absent;
 - (e) as to the disclosure by the appellant, and others, of documents and the inspection of documents;

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- (f) requiring persons to attend the proceedings and give evidence;
- (g) as to the payment of expenses incurred by persons compelled to attend proceedings by regulations made by virtue of paragraph (f);
- (h) authorising the administration of oaths to witnesses;
- (i) as to the withdrawal of appeals;
- (j) as to costs and expenses incurred by any party to the proceedings; and
- (k) authorising preliminary or incidental matters in relation to an appeal to be dealt with by the Chairman of the Tribunal hearing that appeal.

Textual Amendments

F2 Words in [Sch. 6](#) substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, [Sch. 2 para. 8\(1\)\(d\)](#) (with arts. 6, 8)

Staff

- 3 (1) The [^{F3}Secretary of State] may, with the consent of the Treasury, make such provision as he thinks fit for—
- (a) the allocation of staff for any Tribunal;
 - (b) the remuneration of members of Tribunals and the reimbursement of their expenses;
 - (c) defraying any reasonable expenses incurred by any Tribunal.
- (2) Any sums payable under any provision made by the [^{F3}Secretary of State] under subparagraph (1) shall be paid out of money provided by Parliament.

Textual Amendments

F3 Words in [Sch. 6](#) substituted (19.8.2003) by [The Secretary of State for Constitutional Affairs Order 2003 \(S.I. 2003/1887\)](#), art. 9, [Sch. 2 para. 8\(1\)\(d\)](#) (with arts. 6, 8)

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