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STATUTORY INSTRUMENTS

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**2008 No. 749 (C. 31)**

**SUPREME COURT OF ENGLAND AND WALES**

The Tribunals, Courts and Enforcement Act  
2007 (Commencement No. 3) Order 2008

*Made* - - - - *14th March 2008*

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<sup>(1)</sup>.

**Citation**

1. This Order may be cited as the Tribunals, Courts and Enforcement Act 2007 (Commencement No. 3) Order 2008.

**Commencement**

2. Section 141 of the Tribunals, Courts and Enforcement Act 2007 (judicial review: power to substitute decision) comes into force on 6th April 2008.

Signed on behalf of the Lord Chancellor

14th March 2008

*Bridget Prentice*  
Parliamentary under Secretary of State  
Ministry of Justice

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order is the third commencement order made under the Tribunals, Courts and Enforcement Act 2007.

The Order brings section 141 of the Tribunals, Courts and Enforcement Act 2007 into force on 6th April 2008. Section 141 relates to judicial review; it substitutes the existing section 31(5) of the Supreme Court Act 1981 and extends the power of the High Court in respect of quashing orders. The High Court will have the power to substitute its own decision for the decision of a court or tribunal in certain circumstances: where the decision maker is a court or tribunal, the decision is quashed on the ground that there has been an error of law and if the High Court is satisfied that it is the only decision the court or tribunal could have reached.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</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	<a href="#">S.I. 2007/2709</a>
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	<a href="#">S.I. 2007/2709</a>
s.48(1) (partially) and paras 35 to 39 of Sch.8	01.12.2007	<a href="#">S.I. 2007/2709</a>
ss 139 and 140 and Sch.22	01.04.2008	<a href="#">S.I. 2007/2709</a>
s.48(1) (partially), paras 7 to 9, 10(1)(c), (2) (c) and (3)(c), 11 (fully), 14(3)(b), 19, 21(3)	01.06.2008	<a href="#">S.I. 2007/2709</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
and (6) (fully) and 22(1)(c) and (3) (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 (fully)		
Part 6, in so far as it applies in relation to England	31.12.2007	<a href="#">S.I.2007/3613</a>