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To: Stakeholders of the Adjudication Panel for England

Dear Stakeholder

Update on the transfer of the Adjudication Panel for England into the unified Tribunal structure

I last wrote to you in August regarding the impending establishment of the General Regulatory Chamber (GRC) and how this will affect the work of the Adjudication Panel for England.

On 1 September, the GRC was launched as part of the First-tier Tribunal. At this time, the work of four jurisdictions transferred into the GRC - Charity; Estate Agents; Consumer Credit and some functions of the Transport Tribunal.

The work of the Adjudication Panel for England will be transferred into the GRC in January 2010 along with that of four other jurisdictions; the Claims Management Services Tribunal; Gambling Appeals Tribunal, the Immigration Services Tribunal and the remaining part of the Information Tribunal.

Legislative process

A 'Transfer of Tribunal Functions Order', transferring the functions of the Adjudication Panel into the GRC in January 2010, has now been laid in Parliament. The order requires Parliamentary approval and debates on the order will take place before Christmas. The order contains various amendments to the Local Government Act 2000, to the Standards Committee Regulations and to the Case Tribunal Regulations. Once Parliamentary approval has been obtained an amended version of each of those provisions will be available on that part of the Tribunals Service website which deals with cases involving Local Government Standards in England <http://www.adjudicationpanel.tribunals.gov.uk/index.htm>

The effect of the Order is to abolish the Adjudication Panel for England, whose functions will thereafter be undertaken by the First-tier Tribunal. The jurisdiction will be known as the First-tier Tribunal (Local Government Standards, England). The President and Members of the Adjudication Panel will be transferring as either Judges or Members of the First-tier Tribunal assigned to work in the General Regulatory Chamber of that Tribunal. The President will also be a Deputy Judge in the Upper Tribunal.



Procedure rules

Common procedure rules (subject to some exceptions) apply to all proceedings in the General Regulatory Chamber. These rules may need to be amended to take account of the work to be undertaken once the transfer order comes into effect. I will write to you with another update at that point.

Impact on Users

References and appeals made to the President of the Adjudication Panel are determined by Case Tribunals and Appeals Tribunals. The people who sit on those Tribunals will be the same people who determine these kinds of matters in the name of the First-tier Tribunal (Local Government Standards, England). The associated administrative work will also be undertaken by the same people as currently do this. Such work will continue to be based at the Tribunals Services offices in Leeds.

Since it was established the Adjudication Panel has operated without any formal Rules. That situation will change as a result of the transfer of work into the First-tier Tribunal. The Procedure Rules give more explicit powers of direction to the First-tier Tribunal than were available to the Adjudication Panel, including power to summon witnesses.

All proceedings taking place after the Transfer Order comes into effect will be conducted in accordance with the Rules of the First-tier Tribunal unless, in the case of proceedings which have already started, it would be unfair to apply particular provisions of those Rules.

I will keep you informed of progress and you can view regular updates on the GRC page of the Tribunals Service website:

<http://www.tribunals.gov.uk/Tribunals/Firsttier/generalregulatory.htm>

Should you wish to discuss any aspects of the transfer and its implications for the Adjudication Panel please email: AP-enquiries@tribunals.gsi.gov.uk

Yours sincerely



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Senior Responsible Officer for GRC Implementation