



Tribunals (Scotland) Act 2014

2014 asp 10

PART 2

ORGANISATIONAL ARRANGEMENTS

CHAPTER 2

INTERNAL STRUCTURE

Structure of First-tier Tribunal

20 Chambers in the Tribunal

- (1) The First-tier Tribunal is to be organised into a number of chambers, having regard to—
 - (a) the different subject-matters falling within the Tribunal's jurisdiction, and
 - (b) any other factors relevant in relation to the exercise of the Tribunal's functions.
- (2) Accordingly, the Scottish Ministers may by regulations make provision for and in connection with—
 - (a) the organisation of the Tribunal as required by subsection (1),
 - (b) the allocation of the Tribunal's functions between the chambers.

21 Chamber Presidents

- (1) Each chamber of the First-tier Tribunal is to have—
 - (a) a single Chamber President to preside over the chamber, or
 - (b) two Chamber Presidents to preside over the chamber.
- (2) A Chamber President may not preside over more than one chamber of the Tribunal at the same time.
- (3) In this Act—
 - (a) a reference to a Chamber President in the First-tier Tribunal is to a Chamber President of a chamber of the Tribunal,

Status: This is the original version (as it was originally enacted).

- (b) where a chamber of the Tribunal has two Chamber Presidents, a reference to a Chamber President of such a chamber is to either or both of them (as the context requires).

22 Appointment to post

- (1) It is for the Scottish Ministers to make an appointment of a Chamber President to that position.
- (2) Before making an appointment under subsection (1), the Scottish Ministers must consult the Lord President (including as to the person to be appointed).
- (3) A person is eligible for appointment under subsection (1) only if the person is—
 - (a) a legal member of the Upper Tribunal, or
 - (b) if not falling within paragraph (a), eligible to be appointed as such a member of the Tribunal (whether or not already any type of member of the First-tier or Upper Tribunal).
- (4) An appointment made under subsection (1) is for the Chamber President to preside over a particular chamber of the Tribunal.

Structure of Upper Tribunal

23 Divisions of the Tribunal

- (1) The Upper Tribunal is to be organised into a number of divisions, having regard to—
 - (a) the different subject-matters falling within the Tribunal’s jurisdiction, and
 - (b) any other factors relevant in relation to the exercise of the Tribunal’s functions.
- (2) Accordingly, the Scottish Ministers may by regulations make provision for and in connection with—
 - (a) the organisation of the Tribunal as required by subsection (1),
 - (b) the allocation of the Tribunal’s functions between the divisions.

24 Vice-Presidents

- (1) Each division of the Upper Tribunal is to have—
 - (a) a single Vice-President to preside over the division, or
 - (b) two Vice-Presidents to preside over the division.
- (2) A Vice-President may not preside over more than one division of the Tribunal at the same time.
- (3) Subsections (1) and (2) are subject to section 25(1)(b).
- (4) In this Act—
 - (a) a reference to a Vice-President of the Upper Tribunal is to a Vice-President of a division of the Tribunal,
 - (b) where a division of the Tribunal has two Vice-Presidents, a reference to a Vice-President of such a division is to either or both of them (as the context requires).

25 Assignment to post

- (1) The President of Tribunals may assign himself or herself—
 - (a) as a Vice-President of the Upper Tribunal,
 - (b) to preside over one or more than one division of the Tribunal.
- (2) Apart from the Lord President, any other judicial member of the Upper Tribunal may be assigned by the President of Tribunals—
 - (a) as a Vice-President of the Tribunal,
 - (b) to preside over a particular division of the Tribunal.
- (3) Assignment under subsection (1)—
 - (a) remains in effect until such time as the President of Tribunals may determine,
 - (b) does not affect the exercise by the President of Tribunals of the functions arising in that capacity.
- (4) Assignment under subsection (2)—
 - (a) requires—
 - (i) the Lord President’s approval (including as to the judicial member to be assigned),
 - (ii) the assignee’s agreement,
 - (b) remains in effect until such time as the President of Tribunals may determine (with such approval and agreement),
 - (c) does not affect the exercise by the assignee of any other functions as respects the Scottish Tribunals.

26 Appointment to post

- (1) If requested to do so by the President of Tribunals, the Scottish Ministers may appoint a person as a Vice-President of the Upper Tribunal.
- (2) Before making an appointment under subsection (1), the Scottish Ministers must consult the Lord President (including as to the person to be appointed).
- (3) A person is eligible for appointment as a Vice-President only if the person is—
 - (a) a legal member of the Upper Tribunal, or
 - (b) if not falling within paragraph (a), eligible to be appointed as such a member of the Tribunal (whether or not already any type of member of the First-tier or Upper Tribunal).
- (4) An appointment made under subsection (1) is for the Vice-President to preside over a particular division of the Tribunal.