



Tribunals (Scotland) Act 2014

2014 asp 10

PART 6

REVIEW OR APPEAL OF DECISIONS

CHAPTER 1

TRIBUNAL DECISIONS

Internal review

44 **Actions on review**

- (1) In a review by the First-tier Tribunal or the Upper Tribunal under section 43, the Tribunal may—
 - (a) take no action,
 - (b) set the decision aside, or
 - (c) correct a minor or accidental error contained in the decision.
- (2) Where a decision is set aside by the First-tier Tribunal in a review, it may—
 - (a) re-decide the matter concerned,
 - (b) refer that matter to the Upper Tribunal, or
 - (c) make such other order as the First-tier Tribunal considers appropriate.
- (3) If a decision set aside by the First-tier Tribunal in a review is referred to the Upper Tribunal, the Upper Tribunal—
 - (a) may re-decide the matter concerned or make such other order as it considers appropriate,
 - (b) in re-deciding that matter, may do anything that the First-tier Tribunal could do if re-deciding it.
- (4) Where a decision is set aside by the Upper Tribunal in a review, it may—
 - (a) re-decide the matter concerned, or
 - (b) make such other order as it considers appropriate.

Status: This is the original version (as it was originally enacted).

- (5) In re-deciding a matter under this section, the First-tier or Upper Tribunal may reach such findings in fact as it considers appropriate.