

*Status: Point in time view as at 01/04/2015.*

*Changes to legislation: Courts Reform (Scotland) Act 2014, Paragraph 1 is up to date with all changes known to be in force on or before 27 October 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)*

## SCHEDULE 4 THE SCOTTISH COURTS AND TRIBUNALS SERVICE

### PART 1

#### CONFERRAL OF ADDITIONAL FUNCTIONS ETC. IN RELATION TO TRIBUNALS

##### *Modification of the Judiciary and Courts (Scotland) Act 2008*

- 1 (1) The Judiciary and Courts (Scotland) Act 2008 is amended in accordance with this paragraph.
- (2) For “SCS” in each place where it occurs, substitute “ SCTS ”.
- (3) In section 60 (the Scottish Court Service), in subsection (1), for “Court” substitute “ Courts and Tribunals ”.
- (4) In section 62 (administrative support for persons other than the Scottish courts and judiciary)—
  - (a) after subsection (1)(a)(i) insert—

“(ia) functions conferred on the Lord President as Head of the Scottish Tribunals,”
  - (b) after subsection (1)(c) insert—

“(ca) the President of the Scottish Tribunals in the carrying out of—

    - (i) functions delegated to the President of the Scottish Tribunals by the Lord President as Head of the Scottish Tribunals, and
    - (ii) other non-judicial functions of the President of the Scottish Tribunals,”
- (5) In section 70(1)(a)(i) (Scottish Ministers' default power), after “courts” insert “ or the Scottish Tribunals ”.
- (6) Schedule 3 (the Scottish Court Service) is amended in accordance with sub-paragraphs (7) to (11).
- (7) Paragraph 1 is repealed.
- (8) In paragraph 2—
  - (a) for sub-paragraph (2)(c) substitute—

“(c) the President of the Scottish Tribunals,”
  - (b) the word “and” immediately preceding sub-paragraph (2)(f) is repealed,
  - (c) after sub-paragraph (2)(f) insert “, and
  - (g) one person holding the position of Chamber President in the First-tier Tribunal for Scotland.”,
  - (d) after sub-paragraph (6) insert—

“(7) In this schedule, references to the position of Chamber President in the First-tier Tribunal for Scotland are to be construed in accordance with the Tribunals (Scotland) Act 2014.”

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- (9) In paragraph 3, in sub-paragraph (1) after “Clerk” insert “, the President of the Scottish Tribunals”.
- (10) In paragraph 13, after sub-paragraph (2)(a) insert—  
 “(aa) the judicial member who holds the position of Chamber President in the First-tier Tribunal for Scotland (unless that member receives a salary in respect of that position),”.
- (11) In paragraph 20, after sub-paragraph (2)(a)(i) insert—  
 “(ia) the purposes of tribunals or the members of tribunals,”.
- (12) The title of—  
 (a) Part 4 becomes “ THE SCOTTISH COURTS AND TRIBUNALS SERVICE ”,  
 (b) section 60 becomes “ **The Scottish Courts and Tribunals Service** ”,  
 (c) schedule 3 becomes “ THE SCOTTISH COURTS AND TRIBUNALS SERVICE ”.

**Commencement Information**

- I1** Sch. 4 para. 1(1)(2)(6)(8)(9) in force at 2.2.2015 for specified purposes by [S.S.I. 2015/12](#), **art. 2**
- I2** Sch. 4 para. 1(1)(2)(6)(8)(9) in force at 1.4.2015 in so far as not already in force by [S.S.I. 2015/77](#), **art. 2(2)(3)**, **Sch.**
- I3** Sch. 4 para. 1(3)-(5)(7)(10)-(12) in force at 1.4.2015 by [S.S.I. 2015/77](#), **art. 2(2)(3)**, **Sch.**

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