
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 53

**The Scottish Courts and Tribunals Service (Procedure
for Appointment of Members) Regulations 2015**

Nomination for appointment

3.—(1) The Lord President shall notify—

- (a) persons holding the office of sheriff principal of any vacancy in the category of membership listed in paragraph 2(2)(d) of schedule 3 to the 2008 Act;
- (b) persons holding the position of Chamber President in the First-tier Tribunal for Scotland and, where relevant, persons holding an office mentioned in paragraph 3(4) of schedule 4 to the 2014 Act, of any vacancy in the category of membership listed in paragraph 2(2)(g) of that schedule⁽¹⁾.

(2) Persons holding the position of sheriff principal may nominate themselves or others for appointment as the member listed in paragraph 2(2)(d) of schedule 3 to the 2008 Act.

(3) Persons holding the position of Chamber President in the First-tier Tribunal for Scotland and, where relevant, persons holding an office mentioned in paragraph 3(4) of Schedule 4 to the 2014 Act, may nominate themselves or others for appointment as the member listed in paragraph 2(2)(g) of schedule 3 to the 2008 Act.

(1) The office of Chamber President in the First-tier Tribunal for Scotland (“Chamber President”) is created, prospectively, by section 21 of the Tribunals (Scotland) Act 2014 ([asp 10](#)) (“the Tribunals Act”). Paragraph 1(8)(c) of schedule 4 to the 2014 Act inserts new paragraph 2(2)(g) of schedule 3 to the Judiciary and Courts (Scotland) Act 2008 (“the 2008 Act”), providing for one Chamber President to be appointed as a member of the Scottish Courts and Tribunals Service. Paragraph 3 of schedule 4 to the 2014 Act makes transitional provision. Paragraph (3)(1) provides (among other things) that until all of the functions of a tribunal listed in sub-paragraph (2) are transferred to the Scottish Tribunals by virtue of section 28 of the Tribunals Act, section 61A of the 2008 Act (as inserted by section 130(2) of the 2014 Act) applies in relation to that tribunal as it applies in relation to the Scottish Tribunals. Paragraph 3(3) of schedule 4 to the 2014 Act provides that paragraph 2(2)(g) of schedule 3 to the 2008 Act applies as if the reference to the position of Chamber President includes a reference to an office mentioned in paragraph 3(4) of schedule 4 to the 2014 Act in relation to a tribunal, for so long as section 61A of the 2008 Act applies, by virtue of paragraph 3(1), to that tribunal. The offices mentioned in paragraph 3(4) of schedule 4 to the 2014 Act are: President of the Lands Tribunal for Scotland; President of the Private Rented Housing Panel; President of the Mental Health Tribunal for Scotland; President of the Additional Support Needs Tribunals for Scotland; and, President of the Tax Tribunals.