
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 276

TRIBUNALS AND INQUIRIES

The Scottish Tribunals (Eligibility for Appointment) Amendment Regulations 2018

Made - - - - *11th September 2018*
Laid before the Scottish
Parliament - - - - *13th September 2018*
22nd November
Coming into force - - *2018*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 32(1) and paragraph 1(2) of schedule 3 of the Tribunals (Scotland) Act 2014⁽¹⁾ and all other powers enabling them to do so.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Scottish Tribunals (Eligibility for Appointment) Amendment Regulations 2018 and come into force on 22nd November 2018.

(2) In these Regulations, “the 2015 Regulations” means the Scottish Tribunals (Eligibility for Appointment) Regulations 2015⁽²⁾.

Amendment of the 2015 Regulations

2.—(1) The 2015 Regulations are amended in accordance with paragraph (2).

(2) After regulation 3B (ordinary member: charity regulatory experience) insert—

“3C. Eligibility for appointment as an ordinary member of the First-tier Tribunal for Scotland (medical experience)

A person is eligible for appointment as an ordinary member of the First-tier Tribunal for Scotland if the person is a fully registered person within the meaning of the Medical Act 1983⁽³⁾, whether or not that person holds a licence to practise.

(1) 2014 asp 10.

(2) S.S.I. 2015/381, which was amended by S.S.I. 2017/274, which inserted regulations 3A and 3B.

(3) 1983 c.54. The definition of “fully registered person” is set out in section 55 of the 1983 Act. The definition was amended by S.I. 2007/3101 and S.I. 2008/1774.

3D. Eligibility for appointment as an ordinary member of the First-tier Tribunal for Scotland (disability experience)

3D. A person is eligible for appointment as an ordinary member of the First-tier Tribunal for Scotland if the person is experienced in dealing with the needs of persons who have a disability within the meaning of section 6 of the Equality Act 2010⁽⁴⁾ because the person works in a professional or voluntary capacity with a person with a disability, provides care to a person with a disability, or themselves has a disability.”.

St Andrew’s House,
Edinburgh
11th September 2018

S SOMERVILLE
A member of the Scottish Government

⁽⁴⁾ 2010 c.15.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Scottish Tribunals (Eligibility for Appointment) Regulations 2015 (“the 2015 Regulations”) to set eligibility criteria for appointment of ordinary members of the First-tier Tribunal for Scotland in respect of medical experience and disability experience.

The 2015 Regulations, as amended by these Regulations, should be read with the First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018 (S.S.I. 2018/351). The Composition Regulations set out the composition of the Social Security Chamber of the First-tier Tribunal for Scotland, and the Upper Tribunal for Scotland, when each is convened to deal with proceedings relating to Scottish Ministers’ exercise of functions under specified sections of the Social Security (Scotland) Act 2018 (2018 asp 9), or regulations made under that Act which create a right of appeal.

A Partial Business and Regulatory Impact Assessment has been prepared and placed in the Scottish Parliament Information Centre. Copies may be obtained from the Scottish Government Social Security Directorate.