



# Tribunals (Scotland) Act 2014

## 2014 asp 10

### PART 1

#### THE SCOTTISH TRIBUNALS

### CHAPTER 1

#### ESTABLISHMENT AND LEADERSHIP

##### *Establishment and headship etc.*

#### **1 Establishment of the Tribunals**

- (1) There are established two tribunals to be known as—
  - (a) the First-tier Tribunal for Scotland,
  - (b) the Upper Tribunal for Scotland.
- (2) The Tribunals mentioned in subsection (1) are referred to in this Act—
  - (a) respectively as—
    - (i) the First-tier Tribunal,
    - (ii) the Upper Tribunal,
  - (b) collectively as the Scottish Tribunals.
- (3) The constitution, operation and administration of the Scottish Tribunals are as provided for by or under this Act or another Act.
- (4) The jurisdiction, powers and other functions of the Scottish Tribunals are as conferred by or under this Act or another Act.

#### **Commencement Information**

**II** [S. 1](#) in force at 1.4.2015 by [S.S.I. 2015/116](#), [art. 2](#)

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*Changes to legislation: There are currently no known outstanding effects for the Tribunals (Scotland) Act 2014, Cross Heading: Establishment and headship etc.. (See end of Document for details)*

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## 2 Head of the Tribunals

- (1) The Lord President is the Head of the Scottish Tribunals.
- (2) In that capacity, the Lord President has the functions exercisable by him or her by virtue of this Act.

### Commencement Information

**I2** [S. 2](#) in force at 1.4.2015 by [S.S.I. 2015/116](#), [art. 2](#)

## 3 Upholding independence

- (1) The following persons must uphold the independence of the members of the Scottish Tribunals—
  - (a) the First Minister,
  - (b) the Lord Advocate,
  - (c) the Scottish Ministers,
  - (d) members of the Scottish Parliament,
  - (e) all other persons with responsibility for matters relating to—
    - (i) the members of the Scottish Tribunals, or
    - (ii) the administration of justice,
 where that responsibility is to be discharged only in or as regards Scotland.
- (2) In particular, the First Minister, the Lord Advocate and the Scottish Ministers—
  - (a) must not seek to influence particular decisions of the members of the Scottish Tribunals through any special access to the members, and
  - (b) must have regard to the need for the members to have the support necessary to enable them to carry out their functions.

### Commencement Information

**I3** [S. 3](#) in force at 1.4.2015 by [S.S.I. 2015/116](#), [art. 2](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Tribunals (Scotland) Act 2014, Cross  
Heading: Establishment and headship etc..