



Tribunals (Scotland) Act 2014

2014 asp 10

PART 1

THE SCOTTISH TRIBUNALS

CHAPTER 2

OVERARCHING RESPONSIBILITIES

Head of the Tribunals

6 Representation of interests

The Lord President is responsible for—

- (a) representing the views of the membership of the Scottish Tribunals to—
 - (i) the Scottish Ministers, and
 - (ii) the Scottish Parliament,
- (b) laying before the Scottish Parliament written representations on matters that appear to the Lord President to be of importance in relation to the Scottish Tribunals (including as to the administration of justice).

7 Business arrangements

- (1) The Lord President is responsible for making and maintaining appropriate arrangements for securing the efficient disposal of business in the Scottish Tribunals.
- (2) The Lord President is responsible for ensuring that appropriate arrangements are made and maintained as to the welfare of the members of the Scottish Tribunals.

8 Delegation of functions

- (1) The Lord President may delegate to the President of Tribunals the exercise of any of the functions mentioned in subsection (2).
- (2) That is, the functions exercisable by the Lord President by virtue of—

Status: This is the original version (as it was originally enacted).

- (a) section 7(1) or (2),
- (b) section 33(1) or (2), or
- (c) section 34(1) or (2).

9 Directions on functions

- (1) The Lord President may give directions to the President of Tribunals as to the exercise of the functions exercisable by the President of Tribunals by virtue of this Act.
- (2) Directions under subsection (1) may—
 - (a) vary or revoke earlier such directions,
 - (b) relate to particular functions or functions generally.

Regulations by Ministers

10 Authority under regulations

- (1) Regulations under section 20(2) or 23(2) may—
 - (a) delegate to the Lord President authority to make arrangements of the kind to which that section relates,
 - (b) include provision relying on the effect of Tribunal Rules.
- (2) Regulations under section 38(1), 40(1) or 41(1) may—
 - (a) delegate to the President of Tribunals authority to determine the things to which that section relates,
 - (b) include provision relying on the effect of Tribunal Rules.
- (3) Delegation of authority under subsection (1) or (2) is subject to such provision about the exercise or sub-delegation of the authority as may be made in the regulations referred to in that subsection.

11 Consultation on regulations

- (1) Before making regulations under section 20(2) or 23(2), the Scottish Ministers must—
 - (a) obtain the Lord President’s approval,
 - (b) consult such other persons as they consider appropriate.
- (2) Before making regulations under section 38(1), 40(1) or 41(1), the Scottish Ministers must consult the President of Tribunals.

Guiding principle

12 Principle to be observed

- (1) In exercising their regulation-making functions under this Act, the Scottish Ministers must have regard to the principle below.
- (2) In exercising their leadership functions under this Act, the Lord President and the President of Tribunals must have regard to the principle below.
- (3) The principle is the need for proceedings before the Scottish Tribunals—

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

- (a) to be accessible and fair, and
- (b) to be handled quickly and effectively.