



Tribunals (Scotland) Act 2014

2014 asp 10

PART 2

ORGANISATIONAL ARRANGEMENTS

CHAPTER 2

INTERNAL STRUCTURE

Structure of First-tier Tribunal

20 Chambers in the Tribunal

- (1) The First-tier Tribunal is to be organised into a number of chambers, having regard to—
 - (a) the different subject-matters falling within the Tribunal's jurisdiction, and
 - (b) any other factors relevant in relation to the exercise of the Tribunal's functions.
- (2) Accordingly, the Scottish Ministers may by regulations make provision for and in connection with—
 - (a) the organisation of the Tribunal as required by subsection (1),
 - (b) the allocation of the Tribunal's functions between the chambers.

Commencement Information

II [S. 20](#) in force at 1.4.2015 by [S.S.I. 2015/116](#), [art. 2](#)

21 Chamber Presidents

- (1) Each chamber of the First-tier Tribunal is to have—
 - (a) a single Chamber President to preside over the chamber, or
 - (b) two Chamber Presidents to preside over the chamber.

Changes to legislation: *Tribunals (Scotland) Act 2014, CHAPTER 2 is up to date with all changes known to be in force on or before 12 September 2021. 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) View outstanding changes*

- (2) A Chamber President may not preside over more than one chamber of the Tribunal at the same time.
- (3) In this Act—
- (a) a reference to a Chamber President in the First-tier Tribunal is to a Chamber President of a chamber of the Tribunal,
 - (b) where a chamber of the Tribunal has two Chamber Presidents, a reference to a Chamber President of such a chamber is to either or both of them (as the context requires).

Modifications etc. (not altering text)

C1 S. 21(1) excluded (12.1.2018) by [The First-tier Tribunal for Scotland \(Transfer of Functions of the Scottish Charity Appeals Panel\) Regulations 2018 \(S.S.I. 2018/1\)](#), regs. 1(1), 4

Commencement Information

I2 S. 21 in force at 1.4.2015 by [S.S.I. 2015/116](#), art. 2

22 Appointment to post

- (1) It is for the Scottish Ministers to make an appointment of a Chamber President to that position.
- (2) Before making an appointment under subsection (1), the Scottish Ministers must consult the Lord President (including as to the person to be appointed).
- (3) A person is eligible for appointment under subsection (1) only if the person is—
- (a) a legal member of the Upper Tribunal, or
 - (b) if not falling within paragraph (a), eligible to be appointed as such a member of the Tribunal (whether or not already any type of member of the First-tier or Upper Tribunal).
- (4) An appointment made under subsection (1) is for the Chamber President to preside over a particular chamber of the Tribunal.

Commencement Information

I3 S. 22 in force at 1.4.2015 by [S.S.I. 2015/116](#), art. 2

Structure of Upper Tribunal

23 Divisions of the Tribunal

- (1) The Upper Tribunal is to be organised into a number of divisions, having regard to—
- (a) the different subject-matters falling within the Tribunal's jurisdiction, and
 - (b) any other factors relevant in relation to the exercise of the Tribunal's functions.
- (2) Accordingly, the Scottish Ministers may by regulations make provision for and in connection with—
- (a) the organisation of the Tribunal as required by subsection (1),

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- (b) the allocation of the Tribunal's functions between the divisions.

Commencement Information

I4 S. 23 in force at 1.4.2015 by S.S.I. 2015/116, art. 2

24 Vice-Presidents

- (1) Each division of the Upper Tribunal is to have—
- (a) a single Vice-President to preside over the division, or
 - (b) two Vice-Presidents to preside over the division.
- (2) A Vice-President may not preside over more than one division of the Tribunal at the same time.
- (3) Subsections (1) and (2) are subject to section 25(1)(b).
- (4) In this Act—
- (a) a reference to a Vice-President of the Upper Tribunal is to a Vice-President of a division of the Tribunal,
 - (b) where a division of the Tribunal has two Vice-Presidents, a reference to a Vice-President of such a division is to either or both of them (as the context requires).

Commencement Information

I5 S. 24 in force at 1.4.2015 by S.S.I. 2015/116, art. 2

25 Assignment to post

- (1) The President of Tribunals may assign himself or herself—
- (a) as a Vice-President of the Upper Tribunal,
 - (b) to preside over one or more than one division of the Tribunal.
- (2) Apart from the Lord President, any other judicial member of the Upper Tribunal may be assigned by the President of Tribunals—
- (a) as a Vice-President of the Tribunal,
 - (b) to preside over a particular division of the Tribunal.
- (3) Assignment under subsection (1)—
- (a) remains in effect until such time as the President of Tribunals may determine,
 - (b) does not affect the exercise by the President of Tribunals of the functions arising in that capacity.
- (4) Assignment under subsection (2)—
- (a) requires—
 - (i) the Lord President's approval (including as to the judicial member to be assigned),
 - (ii) the assignee's agreement,

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- (b) remains in effect until such time as the President of Tribunals may determine (with such approval and agreement),
- (c) does not affect the exercise by the assignee of any other functions as respects the Scottish Tribunals.

Commencement Information

I6 S. 25 in force at 1.4.2015 by S.S.I. 2015/116, art. 2

26 Appointment to post

- (1) If requested to do so by the President of Tribunals, the Scottish Ministers may appoint a person as a Vice-President of the Upper Tribunal.
- (2) Before making an appointment under subsection (1), the Scottish Ministers must consult the Lord President (including as to the person to be appointed).
- (3) A person is eligible for appointment as a Vice-President only if the person is—
 - (a) a legal member of the Upper Tribunal, or
 - (b) if not falling within paragraph (a), eligible to be appointed as such a member of the Tribunal (whether or not already any type of member of the First-tier or Upper Tribunal).
- (4) An appointment made under subsection (1) is for the Vice-President to preside over a particular division of the Tribunal.

Commencement Information

I7 S. 26 in force at 1.4.2015 by S.S.I. 2015/116, art. 2

Changes to legislation:

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[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 18(1A) inserted by [2020 asp 18 s. 15\(3\)](#)
- s. 18(2)(b)-(e) substituted for s. 18(2)(b) by [2020 asp 18 s. 15\(4\)\(b\)](#)
- s. 18(8)(8A) substituted for s. 18(8) by [2020 asp 18 s. 15\(6\)](#)
- s. 38(4A) inserted by [2020 asp 18 s. 16\(5\)](#)
- sch. 4 para. 9(1A) inserted by [2020 asp 18 s. 16\(7\)\(a\)](#)