



# Tribunals (Scotland) Act 2014

## 2014 asp 10

### PART 3

#### ACQUISITION OF FUNCTIONS

##### *Conferral of functions by another Act*

#### **30 Accommodation of functions**

- (1) Subsections (2) and (3) apply where any functions are conferred on either or both of the Scottish Tribunals by or under an Act other than this Act.
- (2) The Scottish Ministers may by regulations modify this Act so that this Act specifies the relevant provisions of the other Act (whether in existing or new provisions of this Act).
- (3) The Scottish Ministers may by regulations modify this Act or the other Act so as to make the functions exercisable in accordance with or subject to (as far as not already so exercisable)—
  - (a) the whole of this Act, or
  - (b) particular provisions of this Act.

#### **31 Redistribution of functions**

- (1) Where any functions are conferred on either or both of the Scottish Tribunals by or under an Act other than this Act, the Scottish Ministers may by regulations—
  - (a) provide for the functions, or particular functions, to be redistributed between the Tribunals by—
    - (i) transferring them from either of the Tribunals to the other,
    - (ii) taking them away from one of the Tribunals (but not the other), or
    - (iii) causing them to be exercisable by both of the Tribunals (instead of one only),
  - (b) if they are so redistributed by causing them to be exercisable by both of the Tribunals, also make provision of the sort allowed by subsection (2).

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*Status: This is the original version (as it was originally enacted).*

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- (2) This subsection allows provision enabling the question as to which of the Tribunals is to exercise particular functions in a specific case or in specified circumstances to be determined, including as against any prescribed criteria—
  - (a) in accordance with Tribunal Rules, or
  - (b) by the President of Tribunals (whether or not by reference to Tribunal Rules).
- (3) Regulations under subsection (1) may include provision for the purposes of or in connection with, or for giving full effect to, a redistribution of any functions to which the regulations apply.
- (4) Provision included in such regulations by virtue of subsection (3) may modify any enactment relating to the functions being redistributed by the regulations.
- (5) Subsection (1) is subject to any express provision in the other Act prohibiting or limiting the making of regulations under that subsection.