



Tribunals (Scotland) Act 2014

2014 asp 10

PART 7

POWERS, PROCEDURE AND ADMINISTRATION

CHAPTER 1

POWERS AND ENFORCEMENT

Supplementary provisions

65 Additional powers

- (1) The Scottish Ministers may by regulations confer on the First-tier Tribunal and the Upper Tribunal such additional powers as are necessary or expedient for the proper exercise of their functions.
- (2) Regulations under subsection (1) may include provision—
 - (a) relying on the effect of an act of sederunt made by the Court of Session,
 - (b) causing Part 1 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013 to apply to the making of a relevant act of sederunt as it does to the making of Tribunal Rules.
- (3) Before making regulations under subsection (1), the Scottish Ministers must obtain the Lord President's approval.

66 Application of enactments

- (1) The Scottish Ministers may by regulations modify the application of any enactment so far as they consider to be necessary or expedient for the purposes of or in connection with the matters to which this subsection applies.
- (2) Regulations under subsection (1) may include provision—
 - (a) relying on the effect of an act of sederunt made by the Court of Session,

Status: This is the original version (as it was originally enacted).

- (b) causing Part 1 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013 to apply to the making of a relevant act of sederunt as it does to the making of Tribunal Rules.
- (3) Subsection (1) applies to—
 - (a) the making of Tribunal Rules,
 - (b) the effect of—
 - (i) this Part, or
 - (ii) Tribunal Rules.
- (4) Before making regulations under subsection (1), the Scottish Ministers must obtain the Lord President’s approval.

67 Offences in relation to proceedings

- (1) The Scottish Ministers may by regulations make provision, in relation to proceedings before the First-tier Tribunal or the Upper Tribunal—
 - (a) for offences and penalties—
 - (i) for making a false statement in an application in a case,
 - (ii) for failure by a person to attend, or give evidence in, such proceedings when required to do so in accordance with Tribunal Rules,
 - (iii) for alteration, concealment or destruction by a person of, or failure by a person to produce, something that is required to be produced in such proceedings in accordance with Tribunal Rules,
 - (b) about the circumstances in which a person need not give evidence or produce something (for example, where a person could not be compelled to give evidence or produce something in proceedings in a case before the sheriff or in the Court of Session).
- (2) The maximum penalties that may be provided for in regulations under subsection (1) are—
 - (a) for an offence triable summarily only, imprisonment for a term not exceeding 12 months or a fine not exceeding level 5 on the standard scale (or both),
 - (b) for an offence triable either summarily or on indictment—
 - (i) on summary conviction, imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both),
 - (ii) on conviction on indictment, imprisonment for a term not exceeding 2 years or a fine (or both).
- (3) Before making regulations under subsection (1), the Scottish Ministers must obtain the Lord President’s approval.