



# Tribunals (Scotland) Act 2014

## 2014 asp 10

### PART 7

#### POWERS, PROCEDURE AND ADMINISTRATION

### CHAPTER 2

#### PRACTICE AND PROCEDURE

#### *Tribunal Rules*

#### **68 Tribunal Rules**

- (1) There are to be rules—
  - (a) regulating the practice and procedure to be followed in proceedings at—
    - (i) the First-tier Tribunal,
    - (ii) the Upper Tribunal, and
  - (b) containing provision of other sorts appropriate with respect to the Scottish Tribunals (including in relation to the exercise by them of their functions).
- (2) Rules of the kind mentioned in subsection (1) are to be known as Scottish Tribunal Rules (and in this Act they are referred to as Tribunal Rules).
- (3) Tribunal Rules are to be made by the Court of Session by act of sederunt.
- (4) Part 1 of the Scottish Civil Justice Council and Criminal Legal Assistance Act 2013 includes further provision about the making of Tribunal Rules.

#### **Commencement Information**

**11** S. 68 in force at 1.4.2015 by S.S.I. 2015/116, art. 2

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*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Tribunals (Scotland) Act 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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## 69 Exercise of functions

- (1) Tribunal Rules may confer functions on the persons mentioned in subsection (5) or the other members of the Scottish Tribunals.
- (2) Tribunal Rules may, in relation to any functions exercisable by the persons mentioned in subsection (5) or the other members of the Scottish Tribunals—
  - (a) state—
    - (i) how a function is to be exercised,
    - (ii) who is to exercise a function,
  - (b) cause something to require further authorisation,
  - (c) permit something to be done on a person's behalf,
  - (d) allow a specified person to make a decision about any of those matters.
- (3) Tribunal Rules may make provision relying on the effect of directions issued, or to be issued, under section 74.
- (4) Neither Tribunal Rules nor directions under section 74 may make provision altering the operation of section 37(1) or 39(1).
- (5) For the purposes of subsections (1) and (2), the persons are—
  - (a) the Lord President,
  - (b) the President of Tribunals,
  - (c) in the First-tier Tribunal—
    - (i) a Chamber President,
    - (ii) a Deputy Chamber President,
  - (d) a Vice-President of the Upper Tribunal.

### Commencement Information

**I2** S. 69 in force at 1.4.2015 by [S.S.I. 2015/116](#), art. 2

## 70 Extent of rule-making

- (1) Tribunal Rules may make—
  - (a) provision applying—
    - (i) equally to both of the First-tier Tribunal and the Upper Tribunal, or
    - (ii) specifically to one of them,
  - (b) particular provision for each of them about the same matter.
- (2) Tribunal Rules may make particular provision for different—
  - (a) chambers or divisions,
  - (b) types of proceedings.
- (3) Tribunal Rules may make different provision for different purposes in any other respects.
- (4) The generality of section 68(1) is not limited by—
  - (a) sections 71 to 73, or
  - (b) any other provisions of this Act about the content of Tribunal Rules.

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(5) As well as Chapter 1, see (for example) sections 28(5), 42(1), 43(3)(b) and 59(2).

**Commencement Information**

**I3** [S. 70](#) in force at 1.4.2015 by [S.S.I. 2015/116](#), **art. 2**

**Changes to legislation:**

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**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):

- sch. 1 para. 9B inserted by [S.S.I. 2024/162 reg. 2\(2\)](#)
- sch. 1 para. 13(9B) inserted by [S.S.I. 2024/162 reg. 2\(3\)](#)