

SCHEDULE 9  
TRANSITIONAL AND CONSEQUENTIAL

**PART 1**

TRANSITIONAL AND OTHER MATTERS

*Rules of listed tribunals*

- 2 (1) Sub-paragraph (2) applies where some or all of the functions of a listed tribunal have been, or are to be, transferred by regulations under section 28(2).
- (2) The Scottish Ministers may by regulations provide for the procedural rules of a listed tribunal that are in force immediately before the transfer to have effect for the purposes of either or both of the First-tier Tribunal and the Upper Tribunal.
- (3) Regulations under sub-paragraph (2) may provide for the procedural rules to which the regulations relate to have effect subject to such modifications as appear to the Scottish Ministers to be necessary or expedient with respect to the purposes mentioned in that sub-paragraph.
- (4) In this paragraph—  
“listed tribunal” is to be construed in accordance with Part 3 (see section 27(1)),  
“procedural rules” means provision for the purposes of a listed tribunal (whether or not contained in an enactment and irrespective of whether called rules)—  
(a) regulating the practice or procedure to be followed in proceedings at a listed tribunal, or  
(b) otherwise applying in relation to the exercise by a listed tribunal of its functions.