



Tribunals (Scotland) Act 2014

2014 asp 10

PART 5

DECISION-MAKING AND COMPOSITION

Decisions in First-tier Tribunal

38 Composition of the Tribunal

- (1) The Scottish Ministers may by regulations make provision for determining the composition of the First-tier Tribunal when convened to decide any matter in a case before the Tribunal.
 - (2) Where regulations under subsection (1) provide for a matter to be decided by a single member of the Tribunal, the regulations must include provision for determining whether the single member is to be an ordinary, legal or judicial member of the Tribunal.
 - (3) Where regulations under subsection (1) provide for a matter to be decided by two or more members of the Tribunal, the regulations must include provision for determining how many (if any) of those members are to be—
 - (a) an ordinary member,
 - (b) a legal member,
 - (c) a judicial member.
 - (4) Regulations under subsection (1) may include provision for determining what relevant criteria are to be met by an ordinary member of the Tribunal for the member's involvement in decision-making in particular types of case.
- [^{F1}(4A) Regulations under subsection (1) may include provision about the involvement in decision-making of an extra judge who is authorised to act as mentioned in section 18(4).]
- (5) In subsection (4), “relevant criteria” includes criteria as to qualifications, experience and training.

Changes to legislation: There are currently no known outstanding effects for the Tribunals (Scotland) Act 2014, Section 38. (See end of Document for details)

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Textual Amendments

- F1** S. 38(4A) inserted (13.5.2022) by [Social Security Administration and Tribunal Membership \(Scotland\) Act 2020 \(asp 18\)](#), **ss. 16(5)**, 18(2)(3); S.S.I. 2022/146, reg. 2
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Commencement Information

- I1** S. 38 in force at 1.4.2015 by S.S.I. 2015/116, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Tribunals (Scotland) Act 2014, Section 38.