



# Tribunals (Scotland) Act 2014

## 2014 asp 10

### PART 6

#### REVIEW OR APPEAL OF DECISIONS

### CHAPTER 1

#### TRIBUNAL DECISIONS

##### *Internal review*

#### **43 Review of decisions**

- (1) Each of the First-tier Tribunal and the Upper Tribunal may review a decision made by it in any matter in a case before it.
- (2) A decision is reviewable—
  - (a) at the Tribunal's own instance, or
  - (b) at the request of a party in the case.
- (3) But—
  - (a) there can be no review under this section of an excluded decision,
  - (b) Tribunal Rules may make provision—
    - (i) excluding other decisions from a review under this section,
    - (ii) otherwise restricting the availability of a review under this section (including by specifying grounds for a review).
- (4) The exercise of discretion whether a decision should be reviewed under this section cannot give rise to a review under this section or to an appeal under section 46 or 48.
- (5) A right of appeal under section 46 or 48 is not affected by the availability or otherwise of a review under this section.

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**Changes to legislation:** *There are currently no known outstanding effects for the Tribunals (Scotland) Act 2014, Section 43. (See end of Document for details)*

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**Modifications etc. (not altering text)**

- C1** S. 43 excluded (22.10.2018) by Social Security (Scotland) Act 2018 (asp 9), **ss. 61(5)(a)**, 99(2); S.S.I. 2018/298, reg. 2(1)(j) (with reg. 3(2))
- C2** S. 43 excluded (24.12.2020) by The Carer's Allowance Supplement and Young Carer Grants (Residence Requirements and Procedural Provisions) (EU Exit) (Scotland) Regulations 2020 (S.S.I. 2020/475), reg. 1, **sch. 2 para. 13(5)(a)**

**Commencement Information**

- I1** S. 43 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 43.