



Tribunals (Scotland) Act 2014

2014 asp 10

TRIBUNALS (SCOTLAND) ACT 2014

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

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 - 5 In relation to certain Housing and other Acts—
 - 6 The Lands Tribunal for Scotland
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 - 10 A Police Appeals Tribunal
 - 10A The First-tier Tax Tribunal for Scotland
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 - 11 A Valuation Appeal Committee.
 - 11A The Council Tax Reduction Review Panel
- PART 2 — FURTHER SPECIFICATION
- 12 The operation of section 28(1) and (2) is informed by...
 - 13 (1) The entry in paragraph 1 relates to the functions...

SCHEDULE 2 — Transfer-in of members

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

- 1 (1) The Scottish Ministers may by regulations provide for some...
- 2 Subject to the relevant provisions of schedule 7, regulations under...
- 3 (1) Regulations under paragraph 1(1) may be made only where...
- 4 (1) In relation to the First-tier Tribunal—

SCHEDULE 3 — Appointment to First-tier Tribunal

PART 1 — ORDINARY MEMBERS

Appointment and eligibility

- 1 (1) It is for the Scottish Ministers to appoint a...
- 2 In paragraph 1(2), “relevant criteria” includes criteria as to qualifications,...

PART 2 — LEGAL MEMBERS

Application of Part

- 3 (1) This schedule Part applies in relation to appointment of...

Appointment and eligibility

- 4 (1) It is for the Scottish Ministers to appoint a...
- 5 (1) A person qualifies under this sub-paragraph if the person...

Eligibility under regulations

- 6 (1) Regulations under paragraph 5(2) may specify a description of...
- 7 (1) The Scottish Ministers may by regulations make provision—

SCHEDULE 4 — Positions in First-tier Tribunal

PART 1 — DEPUTY OR TEMPORARY PRESIDENT

Deputy President

- 1 If requested to do so by the President of Tribunals,...
- 2 (1) A person is eligible for appointment as a Deputy...
- 3 (1) The functions of a Chamber President are exercisable by...

Temporary President

- 4 If there is a temporary vacancy in the presidency of...
- 5 (1) A person is eligible to be assigned as a...

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Assignment by the President of Tribunals

- 6 (1) The President of Tribunals has the function of assigning...

Assignment of Chamber Presidents

- 7 (1) A Chamber President of a chamber—

Assignment of other members

- 8 (1) This paragraph applies in relation to an ordinary member...

Assignment of judicial members

- 9 (1) A judicial member is to be assigned to at...

SCHEDULE 5 — Appointment to Upper Tribunal
PART 1 — ORDINARY MEMBERS

Appointment and eligibility

- 1 (1) It is for the Scottish Ministers to appoint a...
2 In paragraph 1(2), “relevant criteria” includes criteria as to
qualifications,...

PART 2 — LEGAL MEMBERS

Application of Part

- 3 (1) This schedule Part applies in relation to appointment of...

Appointment and eligibility

- 4 (1) It is for the Scottish Ministers to appoint a...
5 (1) A person qualifies under this sub-paragraph if the person...

Eligibility under regulations

- 6 (1) Regulations under paragraph 5(2) may specify a description of...
7 (1) The Scottish Ministers may by regulations make provision—

SCHEDULE 6 — Positions in Upper Tribunal
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Temporary Vice-President

- 1 If there is a temporary shortage in the number of...
2 (1) A person is eligible for assignment as a Temporary...
PART 2 — ASSIGNMENT INTERNALLY

Assignment of and by the President of Tribunals

- 3 (1) The President of Tribunals has the function of assigning...

Assignment of Vice-Presidents etc.

- 4 (1) A Vice-President of a division— (a) is to be...
5 (1) This paragraph applies in relation to a legal member...

Assignment of other members

- 6 (1) This paragraph applies in relation to an ordinary member...

Assignment of judicial members etc.

- 7 (1) A judicial member is to be assigned to at...

SCHEDULE 7 — Conditions of membership etc.

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Application of schedule

- 1 (1) This schedule applies in relation to the positions of...

Initial period of office

- 2 (1) A person who is appointed to a position in...
3 (1) Sub-paragraph (2) applies where a person—

Automatic reappointment

- 4 (1) Unless sub-paragraph (3) applies, a member of the Scottish...
5 For the purpose of paragraph 4(3)(b), a member is ineligible...
6 For the purpose of paragraph 4(3)(c), the President of Tribunals...
7 Reappointment by virtue of paragraph 4 is not subject to...

Extension in senior post

- 8 (1) Sub-paragraphs (2) and (3) apply where—

Termination of appointment

- 9 A member of the Scottish Tribunals ceases to hold the...
10 (1) Nothing in paragraphs 2 to 8 affects the operation...

Required oaths

- 11 (1) Each of the members of the Scottish Tribunals must...

Pensions etc.

- 12 (1) The Scottish Ministers may make arrangements as to—

Other conditions

- 13 (1) Other than as provided for elsewhere in this Act...

SCHEDULE 8 — Conduct and fitness etc.

PART 1 — CONDUCT AND DISCIPLINE

Application of Part

- 1 (1) This schedule Part applies in relation to the ordinary...

Conduct rules

- 2 The Lord President is responsible for making and maintaining appropriate...
3 (1) The Lord President may make rules for the purposes...
4 Rules under paragraph 3(1)— (a) may make different provision for...

Reprimand etc.

- 5 (1) Where the condition in sub-paragraph (2) is met in...
6 Paragraph 5 does not limit what the Lord President may...

Suspension of membership

- 7 (1) If the Lord President considers that it is necessary...

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- 8 Suspension under paragraph 7(1) does not affect any remuneration payable...

Judicial Complaints Reviewer

- 9 (1) The Judicial Complaints Reviewer has the functions mentioned in...
10 (1) Sub-paragraph (2) applies where a case is referred to...
PART 2 — FITNESS AND REMOVAL

Application of Part

- 11 (1) This schedule Part applies in relation to the ordinary...
12 In this schedule Part, the references to unfitness to hold...

Constitution and procedure

- 13 (1) The First Minister must constitute a fitness assessment tribunal...
14 The Court of Session may by act of sederunt make...

Composition and remuneration

- 15 (1) A fitness assessment tribunal is to consist of—
16 (1) The Scottish Ministers— (a) must pay such expenses as...

Proceedings before tribunal

- 17 (1) A fitness assessment tribunal may require any person—
18 (1) Sub-paragraph (2) applies where a person on whom a...

Suspension during investigation

- 19 (1) Sub-paragraph (2) applies if the Lord President requests the...
20 (1) Sub-paragraph (2) applies if a fitness assessment tribunal—
21 Suspension under paragraph 19(2) or 20(2) does not affect any...

Report and removal

- 22 (1) A report by a fitness assessment tribunal must—
23 (1) If the relevant condition is met, the First Minister...

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Exercise of functions

- 1 (1) Sub-paragraph (2) applies for the purposes of—

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- 2 (1) Sub-paragraph (2) applies where some or all of the...
3 (1) Regulations under paragraph 2(2) may— (a) make different provision...

Pre-SCJC rule-making

- 4 (1) Until the Scottish Civil Justice Council and the Court...
5 (1) Regulations under paragraph 4(2) may— (a) modify rules having...

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Adoption of inherited rules

- 6 (1) Sub-paragraph (2) applies to— (a) rules having effect as...

Chambers and divisions

- 7 (1) For as long as it appears to the Scottish...
8 (1) Sections 20(1) and (2) and 23(1) and (2) are...
9 For the purposes of paragraph 7(1) and (2), the Scottish...

Making appointments

- 10 (1) Until all of the functions of a listed tribunal...
PART 2 — CONSEQUENTIAL MODIFICATIONS

Judicial Pensions and Retirement Act 1993

- 11 (1) The Judicial Pensions and Retirement Act 1993 is amended...

Judiciary and Courts (Scotland) Act 2008

- 12 (1) The Judiciary and Courts (Scotland) Act 2008 is amended...

Scottish Civil Justice Council and Criminal Legal Assistance Act 2013

- 13 (1) The Scottish Civil Justice Council and Criminal Legal Assistance...

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Changes to legislation:

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