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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2018 No.**

**TRIBUNALS AND INQUIRIES**

The First-tier Tribunal for Scotland (Transfer of Functions of the Additional Support Needs Tribunals for Scotland) Regulations 2018

*Made* - - - - 2018

*Coming into force* 12th January 2018

THE FIRST-TIER TRIBUNAL FOR SCOTLAND (TRANSFER OF FUNCTIONS OF THE ADDITIONAL SUPPORT NEEDS TRIBUNALS FOR SCOTLAND) REGULATIONS 2018

1. Citation, commencement and interpretation
  2. Transfer of functions of the Additional Support Needs Tribunals for Scotland to the First-tier Tribunal and abolition of the Additional Support Needs Tribunals for Scotland
  3. Transfer of members of the Additional Support Needs Tribunals for Scotland to the First-tier Tribunal
  4. Transitional and savings provisions
  5. Consequential amendments, repeals and revocations
  6. Revocations
- Signature

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SCHEDULE 1 — Transitional and savings provisions

1. References, claims and proceedings in progress before the Additional Support Needs Tribunals for Scotland immediately before 12th January 2018 to transfer to the First-tier Tribunal
2. Decisions, directions and orders of the Additional Support Needs Tribunals for Scotland to continue in force
3. Time limits in respect of references and claims to, and proceedings before, the Additional Support Needs Tribunals for Scotland to carry over to the First-tier Tribunal
4. Application for assistance by way of representation made to the Scottish Legal Aid Board to carry over to the First-tier Tribunal.

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a Scottish Statutory Instrument: *The First-tier Tribunal for Scotland (Transfer of Functions of the Additional Support Needs Tribunals for Scotland) Regulations 2018 No. 4*

5. Unexercised right of appeal to Court of Session, if exercised, is an appeal to the Upper Tribunal
6. Exercised right of appeal to the Court of Session shall be completed by the Court of Session

SCHEDULE 2 —

PART 1 — Consequential amendments and repeals of primary legislation

1. House of Commons Disqualification Act 1975
2. Tribunals and Inquiries Act 1992
3. Education (Additional Support for Learning) (Scotland) Act 2004
4. Equality Act 2010
5. Public Services Reform (Scotland) Act 2010
6. Public Records (Scotland) Act 2011

PART 2 — Consequential amendments and revocations of subordinate legislation

7. Education (Appeal Committee Procedures) (Scotland) Regulations 1982
8. Advice and Assistance (Assistance by Way of Representation) (Scotland) Regulations 2003
9. Additional Support for Learning (Co-ordinated Support Plan) (Scotland) Amendment Regulations 2005
10. Additional Support for Learning (Placing Requests and Deemed Decisions) (Scotland) Regulations 2005
11. Education (School and Placing Information) (Scotland) Regulations 2012
12. Scottish Parliament (Disqualification) Order 2015

SCHEDULE 3 — Revocations of subordinate legislation

1. The following instruments are revoked: (a) The Additional Support Needs...

Explanatory Note