
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

The First-tier Tribunal for Scotland Social Security Chamber (Procedure and Allocation of Functions) Amendment Regulations 2020

Amendment of the First-tier Tribunal for Scotland Social Security Chamber (Procedure) Regulations 2018

3.—(1) The rules in the schedule of the First-tier Tribunal for Scotland Social Security Chamber (Procedure) Regulations 2018⁽¹⁾ are amended as follows.

(2) In rule 7(4) (dismissal of a party's case) for "to apply for reinstatement" substitute "for the failure to comply".

(3) In rule 20 (notice of appeal against a determination of entitlement)—

(a) omit paragraph (5)(f),

(b) in paragraph (8)—

(i) for "a notice" substitute "the notice of appeal", and

(ii) before sub-paragraph (a) insert—

“(za) where the individual was first awarded assistance pursuant to an application for assistance in accordance with section 37(a) of the 2018 Act⁽²⁾ (duty to make determination), a copy of the application;”

(c) in paragraph (9)(b) at the end insert "of appeal", and

(d) in paragraph (10)(a) and (b) after "notice" insert "of appeal".

(4) In rule 22 (notice of appeal against a process decision)—

(a) omit paragraph (4)(f), and

(b) in paragraph (5)(b) at the end insert "of appeal".

(5) Omit rule 30 (publication of decisions).

(6) For rule 32 (correction of clerical mistakes or accidental slips or omissions) substitute—

“**32.** The First-tier Tribunal may at any time correct any clerical mistake or other accidental slip or omission contained in a decision, order or any document produced by it by sending notification of the amended decision or order, or a copy of the amended document, to all parties.”.

(7) In rule 35(6) (review of a decision) for "one or more of the members" substitute "the legal member".

(8) In rule 36 (duty to treat a request for a review as an application for permission to appeal)—

(a) in paragraph (1) for "appellant" substitute "party who requests the review", and

(b) in paragraph (2)—

(1) [S.S.I. 2018/273](#), which was amended by [S.S.I. 2018/343](#).

(2) [Social Security \(Scotland\) Act 2018 \(asp 9\)](#).

- (i) for “an appellant” substitute “the party who requests the review”,
- (ii) for “the appellant is” substitute “the party is”, and
- (iii) for “the appellant wishes” substitute “the party wishes”.