

POLICY NOTE

THE SCOTTISH TRIBUNALS (LISTED TRIBUNALS) REGULATIONS 2022

SSI 2022/XXX

1. The above instrument is made in exercise of the powers conferred by section 27(2) of the Tribunals (Scotland) Act 2014. The instrument is subject to the affirmative procedure.

Purpose of the Instrument:

The purpose of the instrument is to amend the Tribunals (Scotland) Act 2014 to add the Council Tax Reduction Review Panel to the list of tribunals in Schedule 1, being the tribunals which can be transferred to the Scottish Tribunals.

Policy Objectives

2. The Tribunals (Scotland) Act 2014 (the “2014 Act”) creates a new structure for the devolved tribunals in Scotland. The new structure consists of a First-tier Tribunal (FTT) for initial appeal decisions and an Upper Tribunal (UT) primarily for appeals from the FTT. These tribunals are known collectively as the Scottish Tribunals.

3. The 2014 Act contains a list of tribunals in Schedule 1, known as “listed tribunals”, from which functions and members may be transferred into the new structure. The list of tribunals in Schedule 1 can be modified by regulations made by the Scottish Ministers.

4. Fuller details of the policy objectives relating to the 2014 Act are described in the Policy Memorandum which accompanied the Tribunals (Scotland) Bill. The link below shows the passage of the Bill through Parliament and includes the Policy Memorandum.

<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/62938.aspx>

Consultation

5. A consultation with interested parties took place in July 2021. This included the senior convenor of the Council Tax Reduction Review Panel together with members and secretaries of the Valuation Appeals Panels (as the functions relating to these Panels will also transfer) and a number of other interested individuals and organisations.

6. There were no comments on these regulations in response to the consultation.

Assessments

7. An equality impact assessment has already been completed covering the wider issues as part of the Tribunals (Scotland) Bill process – see link below for further information.

[Tribunals \(Scotland\) Bill - Equality Impact Assessment - Results \(webarchive.org.uk\)](http://webarchive.org.uk)

It was considered that no further equality impact assessment was required in relation to these regulations.

8. A Business and Regulatory Impact Assessment is not required as the instrument has no financial effects on the Scottish Government, local government, the third sector or on business.

Scottish Government
May 2022