
SCOTTISH STATUTORY INSTRUMENTS

2015 No. 381

**The Scottish Tribunals (Eligibility
for Appointment) Regulations 2015**

Eligibility for appointment as a legal member of the Upper Tribunal for Scotland

5.—(1) A person is eligible for appointment as a legal member of the Upper Tribunal for Scotland under paragraph under paragraph 5(2) of schedule 5 to the Act if the person qualifies under paragraph (2).

- (2) Subject to paragraph (5), a person qualifies under this paragraph, if the person has had—
- (a) previous engagement in practice for a period of not less than 7 years as a solicitor or advocate in Scotland; and
 - (b) subsequent engagement in any of the activities listed in paragraph (3).
- (3) The activities are—
- (a) exercising judicial functions in any court or tribunal;
 - (b) practice or employment as a lawyer of any kind.

(4) The 7 year period referred to in paragraph (2)(a) (and the 7 year period referred to in paragraph 5(1) of schedule 5 to the Act) may be calculated on a cumulative or a continuous basis.

(5) A person is not to be treated as having satisfied paragraph (2)(a), if the person has been debarred from the person's professional body or if the person has been subject to any sanction that would have led to such debarment had the person not ceased to belong to the professional body.