

SCHEDULE

THE FIRST-TIER TRIBUNAL FOR SCOTLAND HEALTH AND EDUCATION CHAMBER RULES OF PROCEDURE 2018

PART 3

Procedure in respect of disability claims under paragraph 8 of schedule 17 of the 2010 Act.

Power to exercise functions of an ordinary member

99.—(1) If either of the circumstances referred to in paragraph (2) occur after the decision of the First-tier Tribunal, the functions of that Tribunal may be undertaken by the legal member and the remaining ordinary member.

(2) The circumstances referred to in paragraph (1) are—

- (a) the death or incapacity of an ordinary member; or
- (b) such a member ceasing to be a member of the First-tier Tribunal.

(3) This rule shall not apply to the First-tier Tribunal—

- (a) when constituted with a legal member and one ordinary member in accordance with rule 85(5); or
- (b) in relation to which the Chamber President or another legal member is acting in place of the legal member in accordance with rule 98(3).