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SCOTTISH STATUTORY INSTRUMENTS

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**2018 No. 3**

**The First-tier Tribunal for Scotland Health  
and Education Chamber and Upper Tribunal  
for Scotland (Composition) Regulations 2018**

**Composition of Upper Tribunal hearing appeals or referrals from First-tier Tribunal**

**3.—(1)** The Upper Tribunal, when deciding an appeal to the Upper Tribunal in a case decided by the First-tier Tribunal, shall consist of—

- (a) a judge of the Court of Session, acting either alone or with a judicial member of the Upper Tribunal;
- (b) the Chamber President (except a temporary Chamber President), acting either alone or with another judicial member of the Upper Tribunal;
- (c) the President of Tribunals, acting either alone or with another judicial member of the Upper Tribunal; or
- (d) the Lord President, acting either alone or with a judicial member of the Upper Tribunal.

(2) The Chamber President referred to in paragraph (1) must not have had any involvement in the case prior to the appeal of the case to the Upper Tribunal.

(3) In this regulation “judicial member of the Upper Tribunal” means a judge of the Court of Session.