
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 47

The First-tier Tribunal for Scotland Local Taxation Chamber and Upper Tribunal for Scotland (Composition) Regulations 2023

Composition of First-tier Tribunal

3.—(1) Subject to paragraphs (2) and (3), the First-tier Tribunal, when convened to decide any matter in a case, must consist of—

- (a) either—
 - (i) the Chamber President,
 - (ii) a legal member, or
 - (iii) a judicial member, and
- (b) either—
 - (i) one ordinary member, or
 - (ii) two ordinary members.

(2) The First-tier Tribunal, may consist of either the Chamber President, a legal member, or a judicial member acting alone when—

- (i) convened at a hearing to decide any matter in a non-list appeal case or a council tax reduction case, or
- (ii) disposing of a council tax appeal on the basis of written representations under rule 9(2) of the First-tier Tribunal for Scotland Local Taxation Chamber (Rules of Procedure) Regulations 2022(1).

(3) The authority to determine the composition of the First-tier Tribunal in respect of the alternative compositions referred to in paragraph (1) is delegated to the President of Tribunals, who may sub-delegate the authority to the Chamber President.

(4) If, at or after the beginning of a hearing in which there are two ordinary members, a member of the First-tier Tribunal other than the legal member is absent, the hearing may, with the consent of the parties, be conducted by the legal member and the remaining member and in that event the First-tier Tribunal shall be deemed to be properly constituted, and the decision of the First-tier Tribunal shall be taken by the legal member and that member.

Commencement Information

II [Reg. 3](#) in force at 1.4.2023, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Local Taxation Chamber and Upper Tribunal for Scotland (Composition) Regulations 2023, Section 3.