

POLICY NOTE

THE TRIBUNALS (SCOTLAND) ACT 2014 (COMMENCEMENT No.1) ORDER 2014

SSI 2014/183 (C. 15)

1. The above instrument is made in exercise of the powers conferred by section 83 of the Tribunals (Scotland) Act 2014 (“the 2014 Act”).

Policy Objectives

2. The 2014 Act creates a new structure for devolved tribunals under the judicial leadership of the Lord President. The Act also creates a new office of the President of the Scottish Tribunals. This instrument brings into force Section 4(1), (2), (3) and (5) which make provision for the assignment to the office of the President of the Scottish Tribunals by the Lord President.

3. The 2014 Act provides that under the Lord President, the President of the Scottish Tribunals is the senior member of the Scottish Tribunals. The President of the Scottish Tribunals is instrumental to the implementation of the Act and is key to the development of the new tribunal structure.

4. The implementation project for the 2014 Act is in development. The formal assignment of the President of the Scottish Tribunals will allow this individual to be fully involved in that project with the appropriate authority to develop the judicial aspects of that work.

5. There is no requirement at this stage to give this office any functions. The formal assignment is required to allow the President of the Scottish Tribunals to engage formally with the detailed work of the implementation of the 2014 Act. Subsequent Commencement Orders and Regulations will bring the functions of the office into force in line with the creation of the new tribunal structure.

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