
EXPLANATORY NOTE

(This note is not part of the Regulations)

The Tribunals (Scotland) Act 2014 created a new structure for tribunals dealing with devolved matters under the judicial leadership of the Lord President of the Court of Session as head of the Scottish Tribunals. It created a First-tier Tribunal and an Upper Tribunal. Generally, the First-tier Tribunal will deal with cases in the first instance to which a general right of appeal will lie to the Upper Tribunal.

Under section 46(3), to appeal against a decision of the First-tier Tribunal, permission must be given by that Tribunal or, if it refuses permission, permission must be given by the Upper Tribunal.

Under section 48(3), to appeal against a decision of the Upper Tribunal, permission must be given by that Tribunal or, if it refuses permission, permission must be given by the Court of Session.

These Regulations set time limits for applications for permission to appeal to the First-tier Tribunal or the Upper Tribunal against that Tribunal's own decision or to the Upper Tribunal against a decision of the First-tier Tribunal where permission to appeal has already been refused by the First-tier Tribunal.