

## POLICY NOTE

### THE SCOTTISH TRIBUNALS (TIME LIMITS) REGULATIONS 2016

#### SSI 2016/231

1. The above regulations was made in exercise of the powers conferred by section 55(1), 79(1)(a) and paragraph 4(2) of schedule 9 of the Tribunals (Scotland) Act 2014 (the 2014 Act).

#### Policy Objectives

2. The 2014 Act allows the Scottish Ministers to specify a time limit for seeking permission to appeal from the decision making forum. These regulations establish a time limit of 30 days for applications to both the First-tier Tribunal and Upper Tribunal.
3. The First-tier Tribunal and Upper Tribunal may extend the 30 day period if it considers that it would be in the interests of justice to do so.
4. The 2014 Act also allows the Scottish Ministers to specify a time limit for seeking permission to appeal to the Upper Tribunal or Court of Session if the decision making forum rejects the permission to appeal. The Court of Session rules already have a time limit specified for applications to that body for permission to appeal. Therefore, these regulations do not cover this time limit.
5. Fuller details of the policy objectives relating to the 2014 Act are described in the Policy Memorandum which accompanied the Tribunals Bill. The link below shows the passage of the Bill through Parliament and includes the Policy Memorandum.  
<http://www.scottish.parliament.uk/parliamentarybusiness/Bills/62938.aspx>

#### Consultation

6. A consultation with interested parties took place between September and December 2015. There were 24 responses to this consultation. The responses and analysis document are available on the Scottish Government website:  
<https://consult.scotland.gov.uk/tribunals-administrative-justice-policy/first-consultation-tribunals-scotland-act-2014>

#### Impact Assessments

7. An equality impact assessment was completed for these regulations and showed that the regulations are intended to apply equally and appear to have no differential effect on the basis of the protected characteristics.
8. The Equality Impact Assessment is available at the link below:  
<http://www.gov.scot/Topics/People/Equality/18507/EqualityImpactAssessmentSearch>
9. An Equality Impact Assessment was also completed for the Tribunals (Scotland) Bill – see link below:

<http://www.scotland.gov.uk/Resource/0042/00421637.pdf>

10. A Business and Regulatory Impact Assessment is not required as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government  
Learning and Justice Directorate  
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