

SCHEDULE

THE FIRST-TIER TRIBUNAL FOR SCOTLAND SOCIAL SECURITY CHAMBER RULES OF PROCEDURE 2018

PART 3

Procedure for cases in the First-tier Tribunal

Notice of appeal against a process decision

22.—^{F1}(1) This rule applies where an individual brings an appeal under any of the following provisions against a process decision—

- (a) section 61 of the 2018 Act;
- (b) paragraph 23 of the schedule of the 2020 Regulations; or
- (c) paragraph 13 of schedule 2 of the Carer’s Allowance Supplement Regulations.]

(2) An individual must start proceedings by sending a notice of appeal and any accompanying documents to the First-tier Tribunal.

(3) Except as provided for in paragraph (5), a notice of appeal against a process decision must be received by the First-tier Tribunal before the end of the period of 31 days beginning with the day on which the individual is informed of the decision against which the individual wishes to appeal.

(4) The notice of appeal must state—

- (a) the name and address of the appellant;
- (b) the name and address of the appellant’s representative (if any);
- (c) a postal or email address where documents for the appellant may be sent or delivered;
- (d) the decision being challenged;
- (e) the reasons for bringing the appeal;

^{F2}(f)

- (g) where the notice of appeal is received after the end of the period of 31 days beginning with the day on which the appellant is informed of the decision, but within less than one year of that day, reasons why the notice of appeal was not sent or delivered to the ^{F3}First-tier Tribunal] sooner.

(5) Where a notice of appeal is received after the end of the period of 31 days beginning with the day specified in paragraph (3)—

- (a) if the notice of appeal is received less than one year after that day, the First-tier Tribunal may give permission for the appeal to proceed, but only if satisfied that there was a good reason for the notice of appeal not having been sent or delivered sooner; or
- (b) if the notice of appeal is received one year or more after that day, the First-tier Tribunal must refuse to consider the notice ^{F4}of appeal].

F1 Sch. rule 22(1) substituted (24.12.2020) by The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Allocation of Functions, Procedure and Composition) (Miscellaneous Amendments) Regulations 2020 (S.S.I. 2020/476), regs. 1, **5(3)(e)**

F2 Sch. rule 22(4)(f) omitted (26.3.2020) by virtue of The First-tier Tribunal for Scotland Social Security Chamber (Procedure and Allocation of Functions) Amendment Regulations 2020 (S.S.I. 2020/100), regs. 1, **3(4)(a)**

Changes to legislation: There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Social Security Chamber (Procedure) Regulations 2018, Paragraph 22. (See end of Document for details)

- F3** Words in sch. rule 22(4)(g) substituted (21.12.2018) by [The First-tier Tribunal for Scotland Social Security Chamber \(Rules of Procedure\) Amendment Regulations 2018 \(S.S.I. 2018/343\)](#), regs. 1, **2(6)**
- F4** Words in sch. rule 22(5)(b) inserted (26.3.2020) by [The First-tier Tribunal for Scotland Social Security Chamber \(Procedure and Allocation of Functions\) Amendment Regulations 2020 \(S.S.I. 2020/100\)](#), regs. 1, **3(4)(b)**

Changes to legislation:

There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Social Security Chamber (Procedure) Regulations 2018, Paragraph 22.