
SCOTTISH STATUTORY INSTRUMENTS

2018 No. 351

The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018 and come into force on 22 November 2018.

(2) In these Regulations—

“the 2018 Act” means the Social Security (Scotland) Act 2018 ^{M1};

“the 2015 Regulations” means the Scottish Tribunals (Eligibility for Appointment) Regulations 2015 ^{M2};

[^{F1}“the 2020 Regulations” means the Scottish Child Payment Regulations 2020;]

[^{F2}“the Carer’s Allowance Supplement Regulations” means the Carer’s Allowance Supplement and Young Carer Grants (Residence Requirements and Procedural Provisions) (EU Exit) (Scotland) Regulations 2020;]

“the Chamber President” means the Chamber President of the First-tier Tribunal;

“the First-tier Tribunal” means the First-tier Tribunal for Scotland Social Security Chamber ^{M3};

“ordinary member with disability experience” means a member of the First-tier Tribunal for Scotland who is eligible for appointment under regulation 3D of the 2015 Regulations ^{M4};

“ordinary member with medical experience” means a member of the First-tier Tribunal for Scotland who is eligible for appointment under regulation 3C of the 2015 Regulations ^{M5};

[^{F3}“process decision” means—

(a) in relation to an appeal under section 61 of the 2018 Act, a decision made under section 38, 41(3) or 42 of that Act;

(b) in relation to an appeal under paragraph 23 of the schedule of the 2020 Regulations, a decision made under paragraph 1(4), 14(5) or 15(2)(b) of the schedule of those Regulations];

(c) [^{F4}in relation to an appeal under paragraph 13 of schedule 2 of the Carer’s Allowance Supplement Regulations, a decision made under paragraph 1(5), 4(6) or 5(2)(b) of schedule 2 of those Regulations.]

“reserved benefit” means a benefit which is to any extent a reserved matter within the meaning of schedule 5 of the Scotland Act 1998 ^{M6}; and

“the Upper Tribunal” means the Upper Tribunal for Scotland.

Changes to legislation: *There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018, Section 1. (See end of Document for details)*

Textual Amendments

- F1** Words in reg. 1(2) inserted (9.11.2020) by [The First-tier Tribunal for Scotland Social Security Chamber \(Procedure and Composition\) Amendment Regulations 2020 \(S.S.I. 2020/353\)](#), regs. 1, **2(2)(a)**
- F2** Words in reg. 1(2) inserted (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, **4(2)(a)**
- F3** Words in reg. 1(2) substituted (9.11.2020) by [The First-tier Tribunal for Scotland Social Security Chamber \(Procedure and Composition\) Amendment Regulations 2020 \(S.S.I. 2020/353\)](#), regs. 1, **2(2)(b)**
- F4** Words in reg. 1(2) inserted (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, **4(2)(b)**

Marginal Citations

- M1** 2018 asp 9.
- M2** [S.S.I. 2015/381](#), which was amended by [S.S.I. 2017/274](#) and [S.S.I. 2018/276](#).
- M3** The First-tier Tribunal for Scotland Social Security Chamber is brought into being by [S.S.I. 2018/349](#).
- M4** Regulation 3D was inserted by [S.S.I. 2018/276](#).
- M5** Regulation 3C was inserted by [S.S.I. 2018/276](#). This followed from the insertion into the 2015 Regulations of regulations 3A and 3B, by [S.S.I. 2017/274](#).
- M6** [1998 c.46](#). The relevant section is F1 in Part 2 of schedule 5, which was amended by the [Scotland Act 2016 \(c.11\)](#), **sections 22 to 28**.

Changes to legislation:

There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018, Section 1.