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SCOTTISH STATUTORY INSTRUMENTS

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**2020 No. 476**

**The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Allocation of Functions, Procedure and Composition) (Miscellaneous Amendments) Regulations 2020**

**Amendment of the First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018**

4.—(1) The First-tier Tribunal for Scotland Social Security Chamber and Upper Tribunal for Scotland (Composition) Regulations 2018(1) are amended as follows.

(2) In regulation 1(2) (citation, commencement and interpretation)—

(a) after the definition of “the 2020 Regulations” insert—

““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(2);”, and

(b) in the definition of “process decision”, after sub-paragraph (b) insert—

“(c) 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.”.

(3) For regulation 3 (composition of the First-tier Tribunal when deciding an appeal against a process decision) substitute—

“3. The First-tier Tribunal, when convened to decide an appeal under any of the following provisions against a process decision, must consist only of a legal member—

(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.”.

(4) After regulation 4 (composition of the First-tier Tribunal when deciding an appeal against a determination of entitlement to assistance) insert—

**“Composition of the First-tier Tribunal when deciding an appeal against a determination of entitlement to a carer’s allowance supplement**

**4A.** The First-tier Tribunal, when convened to decide an appeal under paragraph 9 of schedule 2 of the Carer’s Allowance Supplement Regulations against a determination by the Scottish Ministers of entitlement to a carer’s allowance supplement, must consist only of a legal member.”.

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(1) [S.S.I. 2018/351](#), which was amended by [S.S.I. 2020/353](#).

(2) [S.S.I. 2020/475](#).

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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