POLICY NOTE

THE SCOTTISH TRIBUNALS (LISTED TRIBUNALS) REGULATIONS 2019

ADDITION OF BUS LANE ADJUDICATORS TO THE LISTED TRIBUNALS IN SCHEDULE 1 OF THE TRIBUNALS (SCOTLAND) ACT 2014

SSI 2019/XXX

1. The above instrument will, if approved by the Parliament be made in exercise of the powers conferred by section 27(2) of the Tribunals (Scotland) Act 2014 (the 2014 Act). The instrument is subject to the affirmative procedure.

Purpose of the Instrument:

The purpose of the instrument is to amend the 2014 Act to include a bus lane adjudicator in the list of tribunals whose functions may be transferred to the Scottish Tribunals under that Act.

Policy Objectives

2. Regulation 2(2) inserts a new paragraph 9A in part 1 of schedule 1 of the 2014 Act to include a bus lane adjudicator in the list of tribunals whose functions may be transferred to the Scottish Tribunals under that Act.

3. The amendment is necessary as in addition to their parking appeal functions, the adjudicators also undertake functions in relation to bus lane contravention appeals. Parking adjudicators are already listed at paragraph 9 in part 1 of schedule 1 of the 2014 Act.

4. Regulation 2(3) amends paragraph 13 of part 2 of schedule 1 of the 2014 Act to specify the functions exercisable by a bus lane adjudicator and amend the functions of a parking adjudicator.

Consultation

5. A consultation with interested parties took place in 2018. There were no concerns raised about the proposed amendments to the listed tribunals and the responses are available on the Scottish Government website:

https://consult.gov.scot/tribunals-and-administrative-justice/parking-and-bus-lane-adjudicators/consultation/published_select_respondent

Impact Assessments and Financial Effects

6. The Minister for Community Safety confirms that no Business and Regulatory Impact Assessment is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
June 2019