Draft Regulations laid before the Scottish Parliament under section 79(2)(c) of the Tribunals (Scotland) Act 2014, for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2024 No.

TRIBUNALS AND INQUIRIES

The Upper Tribunal for Scotland Bus Registration Appeals (Composition) Regulations 2024

Made - - - -	*2024*
Coming into force - -	*2nd December 2024*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 10(2) and (3) and 40(1), (3) and (4) of the Tribunals (Scotland) Act 2014(**a**), and all other powers enabling them to do so.

In accordance with section 11(2) of that Act, they have consulted the President of Tribunals.

In accordance with section 79(2)(c) of that Act, a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Upper Tribunal for Scotland Bus Registration Appeals (Composition) Regulations 2024 and come into force on 2 December 2024.

(2) In these Regulations—

"bus service penalty case" means proceedings relating to an appeal under section 39(5A) of the Transport (Scotland) Act 2001(**b**),

"service standards decision case" means proceedings relating to an appeal under regulation 2 of the Public Service Vehicles (Registration of Local Services) (Bus Services Improvement Partnerships Service Standards Decisions) (Appeals) (Scotland) Regulations 2024(**c**), and

"Upper Tribunal" means the Upper Tribunal for Scotland.

Composition of Upper Tribunal

2.—(1) The Upper Tribunal, when deciding a bus service penalty case or a service standards decision case, must consist of—

(a) a legal or judicial member of the Upper Tribunal acting alone,

(b) two or three legal or judicial members of the Upper Tribunal, or

(**a**) 2014 asp 10.
(**b**) 2001 asp 2. Section 39(5A) was inserted by S.S.I. 2024/XXX.
(**c**) S.S.I. 2024/248.

(c) the President of Tribunals, acting alone or with no more than two legal or judicial members of the Upper Tribunal.

(2) The authority to determine the composition of the Upper Tribunal in respect of the alternative compositions referred to in paragraph (1) is delegated to the President of Tribunals, including determining whether a member is to be a legal member or a judicial member.

Name
Authorised to sign by the Scottish Ministers

St. Andrew's House,
Edinburgh
Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision as to the composition of the Upper Tribunal for Scotland when dealing with appeals under section 39(5A) of the Transport (Scotland) Act 2001 and appeals under the Public Service Vehicles (Registration of Local Services) (Bus Services Improvement Partnerships Service Standards Decisions) (Appeals) (Scotland) Regulations 2024.

The Upper Tribunal was established by the Tribunals (Scotland) Act 2014. Members of the Upper Tribunal can be ordinary members, legal members or judicial members according to criteria set out in that Act and regulations made under that Act. This instrument sets out which member or members may hear the appeals referred to in the paragraph above.

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