

PARLIAMENTARY BUREAU: APPROVAL OF SCOTTISH STATUTORY INSTRUMENTS

AFFIRMATIVE INSTRUMENT

[First-tier Tribunal for Scotland Local Taxation Chamber and Upper Tribunal for Scotland \(Composition\) Regulations 2023 \(SSI 2022/Draft\)](#)

1. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the First-tier Tribunal for Scotland Local Taxation Chamber and Upper Tribunal for Scotland (Composition) Regulations 2023 (SSI 2022/Draft) be approved.

Purpose

2. To make provision as to the composition of the Local Taxation Chamber of the First-tier Tribunal for Scotland when convened to decide any matter in a case. The Local Taxation Chamber deals with a range of matters relating to local taxation including property valuation for non-domestic rates purposes, council tax banding and council tax reduction appeals. Members of the tribunals can be ordinary members, legal members or judicial members according to criteria set out in the 2014 Act and regulations made thereunder.

Consideration by committee

3. At its meeting on 17 January 2023 the Equalities, Human Rights and Civil Justice Committee agreed to recommend that the regulations be approved. The Committee report was published on 31 January 2023.

[Upper Tribunal for Scotland \(Transfer of Valuation for Rating Appeal Functions of the Lands Tribunal for Scotland\) Regulations 2023 \(SSI 2022/Draft\)](#)

4. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Upper Tribunal for Scotland (Transfer of Valuation for Rating Appeal Functions of the Lands Tribunal for Scotland) Regulations 2023 (SSI 2022/Draft) be approved.

Purpose

5. To make provision for the transfer to the Upper Tribunal for Scotland (“the Upper Tribunal”) of certain functions and members of the Lands Tribunal for Scotland. The Upper Tribunal hears appeals from the First-tier Tribunal for Scotland but may also hear cases as an initial appellate tribunal. The valuation appeal functions will be exercised in relation to matters which are more appropriate for a higher tribunal, including where the facts or evidence are complex or highly technical, or where the law is uncertain or difficult to apply.

Consideration by committee

6. At its meeting on 17 January 2023 the Equalities, Human Rights and Civil Justice Committee agreed to recommend that the regulations be approved. The Committee report was published on 31 January 2023.

[First-tier Tribunal for Scotland \(Transfer of Functions of Valuation Appeals Committees\) Regulations 2023 \(SSI 2022/Draft\)](#)

7. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the First-tier Tribunal for Scotland (Transfer of Functions of Valuation Appeals Committees) Regulations 2023 (SSI 2022/Draft) be approved.

Purpose

8. To make provision for the transfer to the Local Taxation Chamber of the First-tier Tribunal of the functions of the valuation appeals committees. The First-tier Tribunal Local Taxation Chamber will hear cases previously dealt with by valuation appeals committees and the council tax reduction review panel.

Consideration by committee

9. At its meeting on 17 January 2023 the Equalities, Human Rights and Civil Justice Committee agreed to recommend that the regulations be approved. The Committee report was published on 31 January 2023.

[First-tier Tribunal for Scotland \(Transfer of Functions of the Council Tax Reduction Review Panel\) Regulations 2023 \(SSI 2022/Draft\)](#)

10. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the First-tier Tribunal for Scotland (Transfer of Functions of the Council Tax Reduction Review Panel) Regulations 2023 (SSI 2022/Draft) be approved.

Purpose

11. To make provision for the transfer to the Local Taxation Chamber of the First-tier Tribunal for Scotland (“the First-tier Tribunal”) of the functions of the council tax reduction review panel. The Local Taxation Chamber of the First-tier Tribunal will hear cases previously dealt with by valuation appeals committees and the council tax reduction review panel.

Consideration by committee

12. At its meeting on 31 January 2023 the Equalities, Human Rights and Civil Justice Committee agreed to recommend that the regulations be approved. The Committee report was published on 31 January 2023.

Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2023 (SSI 2023/Draft)

13. Under Rule 10.6.5, the Bureau is required to lodge the following motion—

George Adam on behalf of the Parliamentary Bureau: That the Parliament agrees that the Community Care (Personal Care and Nursing Care) (Scotland) Amendment Regulations 2023 (SSI 2023/Draft) be approved.

Purpose

14. To increase the value of payments for free personal care and nursing care by 9.5%.

Consideration by committee

15. At its meeting on 31 January 2023 the Health, Social Care and Sport Committee agreed to recommend that the regulations be approved. The Committee report was published on 31 January 2023.

Decision

16. **Business Managers are invited note that the above motions will be lodged.**

17. **Business Managers should reserve their position if their party intends to speak against or oppose the motions.**

**Parliamentary Business Team
February 2023**