

Status: Point in time view as at 03/05/2005.

Changes to legislation: There are currently no known outstanding effects for the Education (Additional Support for Learning) (Scotland) Act 2004, Cross Heading: Rules of procedure. (See end of Document for details)

SCHEDULE 1 ADDITIONAL SUPPORT NEEDS TRIBUNALS FOR SCOTLAND

Rules of procedure

- 11 (1) The Scottish Ministers must make rules as to the practice and procedure of the Tribunals.
- (2) Such rules may, in particular, include provision for or in connection with—
- (a) the form and manner in which references to a Tribunal under section 18(1) are to be made,
 - (b) the time within which such references are to be made,
 - (c) the withdrawal of references,
 - (d) the recovery and inspection of documents,
 - (e) the persons who may appear on behalf of the parties,
 - (f) the persons who may be present at proceedings alongside any party or witness to support the party or witness,
 - (g) enabling specified persons other than the parties to appear or be represented in specified circumstances,
 - (h) requiring specified persons to give notice to other specified persons of specified matters,
 - (i) the time within which any such notice must be given,
 - (j) enabling Tribunal proceedings to be conducted in the absence of any member of a Tribunal other than the convener,
 - (k) enabling any matters that are preliminary or incidental to the determination of proceedings to be determined by the convener of a Tribunal alone or with such other members of the Tribunal as may be specified,
 - (l) enabling Tribunal proceedings to be held in private,
 - (m) enabling a Tribunal to exclude any person from attending all or part of Tribunal proceedings,
 - (n) enabling a Tribunal to impose reporting restrictions in relation to all or part of Tribunal proceedings,
 - (o) enabling a Tribunal to determine specified matters without holding a hearing,
 - (p) the recording and publication of decisions and orders of a Tribunal,
 - (q) enabling a Tribunal to commission medical and other reports in specified circumstances,
 - (r) requiring a Tribunal to take specified actions, or to determine specified proceedings, within specified periods,
 - (s) enabling a Tribunal to make an award of expenses,
 - (t) the taxation or assessment of such expenses.
- (3) In sub-paragraph (2), “specified” means specified in the rules.

Commencement Information

II Sch. 1 para. 11 in force at 3.5.2005 by S.S.I. 2005/154, art. 2

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