
SCOTTISH STATUTORY INSTRUMENTS

2001 No. 315

The Parole Board (Scotland) Rules 2001

PART IV

PROVISIONS APPLYING TO TRIBUNAL CASES

Citation of persons to attend a hearing to give evidence or to produce documents

24.—(1) For the purposes of requiring any person to attend a hearing under rule 20 and to give evidence thereat, or to produce documents which relate to any matter in question at such a hearing, the provisions of subsections (4) and (5) of section 210 of the Local Government (Scotland) Act 1973 ^{M1} shall apply as if—

- (a) references to a local inquiry were references to such a hearing;
- (b) references to the person appointed to hold the inquiry, or the person holding the inquiry, were references to the chairman of the tribunal;
- (c) the reference to “this section” in subsection (5) of section 210 were a reference to this rule; and
- (d) in subsection (5) for “not exceeding level 1” to the end, there were substituted “ not exceeding level 2 ”.

(2) Subject to the following paragraphs of this rule, the chairman of the tribunal may at any time exercise the powers conferred on him by paragraph (1) to require any person to attend to give evidence or to produce any books or other documents—

- (a) on the application of a party; or
- (b) where he is authorised by the tribunal to do so on its own motion.

(3) Where a party wishes to make an application for the purposes of paragraph (2) he or she shall, not later than the expiry of the period within which the prisoner may send written representations to the tribunal under rule 7, make a written application to the tribunal.

(4) Any application under paragraph (3) shall give the name and address of each person in respect of whom the application is made.

(5) Any party who makes an application under paragraph (3) shall, at the same time as the application is made, send a copy of that application to the other parties.

(6) The chairman of the tribunal may grant or refuse an application under paragraph (3) and shall give each party written notice of his decision and, where the application is refused, of the reasons for that decision.

(7) Where any written notice requiring any person to attend to give evidence or to produce any books or other documents is made by virtue of this rule, the Board shall—

- (a) forthwith send the notice signed by the chairman of the tribunal to the person who is named in the notice as the person subject to the requirement specified; and
- (b) send a copy of the notice to each party.

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Parole Board (Scotland) Rules 2001. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)*

Marginal Citations

M1 1973 c. 65; section 210(5) was amended by virtue of the Criminal Procedure (Scotland) Act 1975 (c.21), **sections 289(f)** and 289(g) (as inserted by the Criminal Justice Act 1982 (c.48), **section 54**).

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Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Rules expiry of earlier affecting provision 2020 asp 7, sch. 4 para. 17(2) by [2020 asp 7 s. 12\(1\)](#)
- Rules modified (temp.) by 1993 c. 9, Sch. 2 para. 2L(4)(c) (as modified) by [2020 asp 7 sch. 4 para. 17\(2\)](#)
- Rules revoked by [S.S.I. 2022/385 sch. 2](#)
- rule 8(e) and word inserted by [S.S.I. 2021/4 rule 2\(3\)\(b\)](#)
- rule 9(iii) and word inserted by [S.S.I. 2021/4 rule 2\(4\)\(b\)](#)
- rule 12A expiry of earlier affecting provision 2020 asp 7, sch. 4 para. 18(3) by [S.S.I. 2022/11 reg. 2](#)
- rule 12A inserted by [S.S.I. 2010/164 rule 2\(3\)](#)
- rule 12A(1) words substituted by [S.S.I. 2022/10 rule 2\(2\)\(a\)](#)
- rule 12A(1) words substituted (temp.) by [2020 asp 7 sch. 4 para. 18\(3\)\(a\)](#)
- rule 12A(1A) inserted by [S.S.I. 2022/10 rule 2\(2\)\(b\)](#)
- rule 12A(1A) inserted (temp.) by [2020 asp 7 sch. 4 para. 18\(3\)\(b\)](#)
- rule 12A(2) words substituted by [S.S.I. 2012/167 rule 6\(a\)](#)
- rule 12A(4) words substituted by [S.S.I. 2012/167 rule 6\(b\)](#)
- rule 12A(6) substituted by [S.S.I. 2022/10 rule 2\(2\)\(c\)](#)
- rule 14(6)(7) inserted by [S.S.I. 2011/133 rule 4](#)
- rule 14(7)(a) substituted by [S.S.I. 2012/167 rule 7\(c\)\(i\)](#)
- rule 14(7)(b) words omitted by [S.S.I. 2012/167 rule 7\(c\)\(ii\)](#)
- rule 14(8) inserted by [S.S.I. 2012/167 rule 7\(d\)](#)
- rule 15A-15H inserted by [S.S.I. 2011/133 rule 5](#)
- rule 15A(2)(b) words substituted by [S.S.I. 2012/167 rule 9\(a\)](#)
- rule 15A(2)(c) word substituted by [S.S.I. 2012/167 rule 9\(b\)](#)
- rule 15B(1) words substituted by [S.S.I. 2012/167 rule 10\(a\)](#)
- rule 15B(2) words substituted by [S.S.I. 2012/167 rule 10\(b\)](#)
- rule 15B(3) words substituted by [S.S.I. 2012/167 rule 10\(c\)](#)
- rule 15B(4)(b) words substituted by [S.S.I. 2012/167 rule 10\(d\)](#)
- rule 15E(7) words substituted by [S.S.I. 2012/167 rule 11](#)
- rule 15H(1) words omitted by [S.S.I. 2012/167 rule 12\(a\)](#)
- rule 15H(2)(b) words inserted by [S.S.I. 2012/167 rule 12\(b\)](#)
- rule 15H(2)(c) words substituted by [S.S.I. 2012/167 rule 12\(c\)](#)
- rule 15H(3) inserted by [S.S.I. 2012/167 rule 12\(d\)](#)
- rule 15H(3) inserted by [S.S.I. 2012/197 rule 2\(4\)](#)
- rule 17(1A) expiry of earlier affecting provision 2020 asp 7, sch. 4 para. 18(4)(b) by [S.S.I. 2021/236 reg. 2\(b\)](#)
- rule 17(1A) inserted (temp.) by [2020 asp 7 sch. 4 para. 18\(4\)\(b\)](#)
- rule 26(2)(i) and word inserted by [S.S.I. 2021/4 rule 2\(5\)\(a\)\(ii\)](#)
- rule 26A inserted by [S.S.I. 2021/4 rule 2\(6\)](#)
- rule 28(3) inserted by [S.S.I. 2012/167 rule 17\(d\)](#)
- rule 28A inserted by [S.S.I. 2021/4 rule 2\(7\)](#)