
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 420

**The Mental Health Tribunal for Scotland
(Practice and Procedure) Rules 2005**

PART VII

GENERAL RULES

Miscellaneous

Method of delivering and receipt of notices and documents

78.—(1) Any notice or document required or authorised by these Rules to be sent to the Tribunal, may be sent to or presented at the Office of the Mental Health Tribunal for Scotland, or such other office as may be notified by the Tribunal.

(2) All notices and documents required by these Rules to be sent by the Tribunal or the Clerk or given to any person may—

(a) in the case of a relevant person—

(i) be sent by post or delivered (by courier or otherwise) to the address specified by that relevant person;

(ii) transmitted by fax to a specified fax number, where the relevant person has agreed in writing that the relevant person will accept documents transmitted to that fax number; or

(iii) transmitted by electronic communication to a specified address for such communications where the relevant person has agreed in writing that the relevant person will accept documents transmitted in that manner to that specified address,

(b) in the case of any other person, to the person's last known address or in any manner specified for that purpose by the Tribunal or person to whom the notice or document is directed.

(3) Any notice or document sent to a person in accordance with this rule shall, unless the contrary is proved, be deemed to be received—

(a) where the document is sent by post, on the second day after the day on which it was sent; and

(b) in any other case, on the day on which the document was transmitted or delivered to that person.

(4) A notice or document sent or given to the authorised representative of a relevant person shall be deemed to have been sent or given to that relevant person.

(5) A relevant person may at any time by notice to the Tribunal change the address to which notices and documents are to be sent to the relevant person.