
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 519

The Mental Health Tribunal for Scotland
(Practice and Procedure) (No. 2) Rules 2005

PART VII

GENERAL RULES

Power to decide case without a hearing

- 58.**—(1) Except as otherwise provided for in the Act, this rule applies where—
- (a) the relevant persons agree in writing;
 - (b) the Tribunal considers that having regard to the nature of the issues raised in the case, sufficient evidence is available to enable it come to a decision; and
 - (c) to do so will not, in the view of the Tribunal, be contrary to the interests of the patient.
- (2) Subject to paragraph (3), the Tribunal may decide the case without a hearing.
- (3) Before making a decision under paragraph (2), the Tribunal must consider any representations in writing submitted by relevant persons.