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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 88**

The Additional Support Needs Tribunals for  
Scotland (Practice and Procedure) Rules 2006

PART V

HEARINGS AND DECISIONS

**Power to decide reference without hearing**

**26.**—(1) A Tribunal may, in any of the circumstances referred to in paragraph (2), decide the reference without a hearing.

(2) For the purposes of paragraph (1) the circumstances are—

- (a) where no response is submitted to the Secretary within the time appointed by rule 10 or any extension of time allowed under rule 19;
- (b) where the authority states in writing that they do not resist the reference;
- (c) where the authority withdraws their opposition to the reference; or
- (d) where both parties agree in writing to dispense with a hearing.

(3) In deciding a reference under paragraph (1) a Tribunal shall do so on the basis of the notice of reference, any response, any statement of case and any written evidence submitted in accordance with the Rules.