
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 88

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

PART V

HEARINGS AND DECISIONS

Orders of the Court

38.—(1) If any appeal against a decision of a Tribunal is allowed by order of the Court of Session, the Secretary shall alter the entry relating to the decision in the Register to conform to that order and shall notify the parties accordingly.

(2) If by order of the Court of Session a reference is remitted back to the Tribunal or to a differently constituted Tribunal, and subject to any directions or orders of the court made under section 21(3) of the Act, the Secretary shall notify the parties that, during a period of 15 working days (or such shorter period as the parties may agree in writing) each may submit a supplementary statement of case and further written evidence.

(3) If an appeal against an order to dismiss a reference is allowed by the Court of Session, the Secretary shall notify the parties—

- (a) in the case where the case statement period had not expired before the order to dismiss took effect—
 - (i) that a new case statement period shall be commenced in accordance with rule 8; and
 - (ii) that, within the new period, the parties may submit the documentation referred to in sub paragraph (b) in respect of a statement of case or evidence submitted before the dismissal took effect; or
- (b) in any other case, that each party may within a period of 15 working days (or such shorter period as the parties may agree in writing) submit a supplementary statement of case along with any further written evidence.

(4) The Secretary shall forthwith send a copy of all statements and written evidence received from a party in accordance with this rule to the other party.