
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 560

The Inquiries (Scotland) Rules 2007

Manner of proceedings etc.

Warning letters

13.—(1) The contents of a warning letter are to be treated as subject to an obligation of confidence owed—

- (a) separately by each member of the inquiry team to the recipient;
- (b) by the recipient to the chairman; and
- (c) by the recipient's recognised legal representative to the chairman (where the recipient has disclosed the letter under rule 12(6)).

(2) The obligation of confidence may be waived in writing at any time by the chairman or, as the case may be, by the recipient.

(3) The inquiry panel's obligation of confidence arising under this rule ends when the inquiry report is signed in accordance with section 24(4) of the Act.

(4) All other obligations of confidence arising under this rule end when the inquiry report is published under section 25 of the Act.

(5) A breach of the obligation referred to in paragraph (1) is actionable by the person to whom the obligation is owed.

(6) In this rule "the recipient" means the person to whom a warning letter is sent under rule 12.