
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 560

The Inquiries (Scotland) Rules 2007

Interpretation

2.—(1) In these Rules—

“the Act” means the Inquiries Act 2005;

“applicant” means a person making an application for an award under section 40(1) (expenses of witnesses etc.) of the Act;

“award” means an award made under section 40(1) of the Act;

“core participant” means a person designated as such under rule 4;

“counsel to the inquiry” means a qualified lawyer, if any, who is appointed by the chairman to act as counsel for the inquiry;

“designated email address” means—

- (a) in the case of the inquiry, an email address notified to a witness (and the witness’s recognised legal representative, if any) by the secretary to the inquiry, in whatever manner the secretary sees fit, for the purpose of sending or receiving documents relating to the inquiry by email; and
- (b) in the case of any other person, an email address notified in writing by a person to a member of the inquiry team, for the purpose of sending or receiving documents relating to the inquiry by email;

“designated fax number” means—

- (a) in the case of the inquiry, a fax number notified to a witness (and the witness’s recognised legal representative, if any) by the secretary to the inquiry, in whatever manner the secretary sees fit, for the purpose of communication by fax; and
- (b) in the case of any other person, a fax number notified in writing by that person to a member of the inquiry team for the purpose of communication by fax;

“designated postal address” means—

- (a) in the case of the inquiry, an address notified to a witness (and the witness’s recognised legal representative, if any) by the secretary to the inquiry, in whatever manner the secretary sees fit, for the purposes of sending documents by post or leaving documents; and
- (b) in the case of any other person, an address notified by that person in writing to a member of the inquiry team for the purposes of sending documents by post or leaving documents;

“the inquiry” means an inquiry (including a joint inquiry) which the Scottish Ministers cause to be held under section 1 of the Act or which they convert under section 15 of the Act into an inquiry under the Act;

“inquiry hearing” means an oral hearing conducted during the course of the inquiry;

“inquiry record” means all documents given to or created by the inquiry;

“inquiry team” means—

- (a) the inquiry panel;
- (b) the counsel to the inquiry (if any);
- (c) the secretary to the inquiry;
- (d) the solicitor to the inquiry;
- (e) any assessor appointed under section 11 of the Act; and
- (f) any other person engaged (whether as an employee or under a contract for services) to provide administrative, legal or managerial assistance to the inquiry or to assist in any investigations which the inquiry may conduct;

“qualified lawyer” means—

- (a) a solicitor or advocate in Scotland;
- (b) a solicitor or barrister in England and Wales;
- (c) a solicitor or barrister in Northern Ireland;

“recognised legal representative” means a qualified lawyer appointed under rule 5 or approved under rule 6 as the case may be;

“secretary to the inquiry” means a person appointed by the chairman to carry out (with the assistance of any deputies who are so appointed) the administration and management of the inquiry;

“solicitor to the inquiry” means the qualified lawyer appointed by the chairman to act as solicitor for the inquiry;

“warning letter” means a letter sent by the chairman to a person during the course of the inquiry under rule 12; and

“witness” means any person from whom the inquiry panel proposes to take either written or oral evidence.

(2) In these Rules, references to things to be published or written include publishing and writing by electronic means.