
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 571

**The Transport and Works (Scotland) Act 2007
(Inquiries and Hearings Procedure) Rules 2007**

PART 2

INQUIRIES

Precognitions

14.—(1) A person entitled to appear at an inquiry who proposes to give, or to call another person to give, evidence at the inquiry by reading a precognition shall send to the reporter a copy of the precognition and (subject to paragraph (2)) a written summary of it.

(2) No written summary shall be required where the precognition which it is proposed to read contains no more than 1500 words.

(3) The precognition and summary shall be sent to the reporter not later than—

- (a) 4 weeks before the date fixed for the commencement of the inquiry;
- (b) where a timetable has been arranged pursuant to rule 9, which specifies a date by which the precognition and summary shall be sent to the reporter, that date; or
- (c) by such other date as the reporter may specify.

(4) Where the applicant sends a precognition and a summary to a reporter in accordance with paragraph (1), the applicant shall at the same time send a copy to every other person specified in rule 12(1); and where any other person so sends such a precognition and summary that person shall at the same time send a copy to the applicant.

(5) Unless paragraph (2) applies, only the summary shall be read at the inquiry unless the reporter permits or requires otherwise.

(6) Subject to paragraph (7), any person required by this rule to send a precognition to any other person shall send with it a copy of the whole, or the relevant part, of any document referred to in it, unless copies of the document or part of the document in question are already available for inspection pursuant to rule 7(9).

(7) Where any person has confirmed to the applicant in writing that that person does not wish to be sent a copy of, or a copy of part of, a precognition, summary or other document that the applicant is required to send, the applicant shall not be required to send that person that document or the relevant part of it.

(8) The applicant shall afford to any person who so requests a reasonable opportunity to inspect and, where practicable and on payment of a reasonable charge, take copies of any document sent to or by the applicant in accordance with any of the preceding paragraphs of this rule.