
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 104

The Additional Support Needs Tribunals for
Scotland (Disability Claims Procedure) Rules 2011

PART 6

MISCELLANEOUS

Power to exercise functions of a convener

43.—(1) Any function of a convener may be exercised by the President or by any member of the panel of conveners selected by the President.

(2) Where the President or a member of the panel of conveners determines any preliminary or incidental matter alone, then unless the interests of fairness and justice require that particular claim to be determined by a Tribunal with the same convener, the claim may be considered by a Tribunal constituted by the President with a different convener, if the President considers it necessary or expedient.

(3) Subject to rule 48(6), if the circumstances referred to in paragraph (4) occur after the decision of a convener or of a Tribunal, the functions of the convener for the completion of the proceedings may be exercised by the President or any member of the panel of conveners.

(4) The circumstances referred to in paragraph (3) are—

- (a) the death or incapacity of the convener; or
- (b) the convener ceasing to be included in the panel of conveners.