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STATUTORY INSTRUMENTS

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**1993 No. 355**

**The Council Tax (Alteration of Lists and Appeals) (Scotland) Regulations 1993**

**PART IV**

**APPEAL PROCEDURE**

**Power to require attendance of witnesses and to order recovery of documents**

**30.**—(1) Except in a case which is to be disposed of on the basis of written representations and subject to paragraphs (2) and (3), the committee may, on the motion of any party to the proceedings or *ex proprio motu*, by notice in writing—

- (a) grant to a party such commission and diligence for the recovery of documents, or provide such other means of recovery thereof, as could be granted or provided by the Court of Session in a cause before them, such recovery being effected, where a commission and diligence has been granted, by execution thereof or in that or any other case in any manner in which recovery could be provided for by the Court of Session in such a cause; and
- (b) require the attendance of any person as a witness or require the production of any document relating to the question to be determined;

and may appoint the time at or within which or the place at which any act required in pursuance of this regulation is to be done.

(2) No person shall be required in obedience to a requirement imposed under paragraph (1) to attend at any place which is more than 10 miles from the place where he resides unless the necessary expenses are paid or tendered to him by the party at whose instance his attendance has been required or by the committee, as the case may be.

(3) Nothing in this regulation shall empower the committee to require any person to produce any book or document or to answer any question which he would be entitled, on the ground of privilege or confidentiality, to refuse to produce or to answer if the proceedings were proceedings in a court of law.

(4) Any notice given under paragraph (1) shall contain a reference to the provisions of section 82(3) of the Act (by which any person who fails to comply with any such notice shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale).