
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 420

The Mental Health Tribunal for Scotland
(Practice and Procedure) Rules 2005

PART VII

GENERAL RULES

Additional parties and relevant persons

48.—(1) Subject to paragraph (2), any person who has an interest in the case may send to the Tribunal a written request for leave to enter the proceedings stating—

- (a) the person's name and address;
- (b) the nature of the person's interest and the person's reasons for the request.

(2) The Tribunal may refer the request to a Convener to decide or decide the matter itself at a hearing.

(3) On receipt of a request under paragraph (1), the Clerk shall send a copy to the parties inviting them to make written representations within such period as may be specified by the Convener.

(4) At the request of any party in writing within that period, the Tribunal may afford the parties an opportunity to be heard either by the Convener alone or with such other members as the Tribunal may direct.

(5) The Tribunal or the Convener, as the case may be, shall consider any representations made, and if satisfied that the person has an interest in the case, and that it is reasonable to do so, may grant the request and direct that the person shall be treated as a party or as a relevant person and the request treated as their notice of response.

(6) On granting a request under paragraph (5), the Tribunal or the Convener, as the case may be, shall consider whether any decision already taken in the case requires to be reconsidered in the light of the person's notice of response.