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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 88**

The Additional Support Needs Tribunals for  
Scotland (Practice and Procedure) Rules 2006

PART VI

MISCELLANEOUS

**Power to exercise functions of a convener**

**42.**—(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 reference to be determined by a Tribunal with the same convener, the reference 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 46(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.