
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 442

**The Bus Lane Contraventions (Charges, Adjudication
and Enforcement) (Scotland) Regulations 2011**

PART V

APPEALS AGAINST CHARGES

Disposing of an appeal without a hearing

15.—(1) Subject to the provisions of this Part, the adjudicator may decide the general procedure to be followed in connection with appeals and may dispose of an appeal without a hearing, unless in the adjudicator's opinion the appeal raises issues of public importance such as to require that a hearing be held.

(2) If either party has requested a hearing, the adjudicator must not dispose of an appeal without a hearing unless—

- (a) the request is withdrawn before notice of a hearing has been sent to the other party; or
- (b) both parties have subsequently consented to the appeal being disposed of without a hearing.

(3) Where the adjudicator is minded to dispose of an appeal without a hearing, the adjudicator—

- (a) is to inform the parties of that intention; and
- (b) must not dispose of the appeal without a hearing unless—
 - (i) there has elapsed a period of 28 days beginning with the date on which an acknowledgement is sent in accordance with regulation 13(1) during which neither party has requested a hearing; or
 - (ii) both parties have consented to its disposal without a hearing.