
SCOTTISH STATUTORY INSTRUMENTS

2011 No. 442

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

PART V

APPEALS AGAINST CHARGES

Power to require attendance and production of documents

- 17.—(1) The adjudicator may, by notice in writing sent to any person, require that person—
- (a) to attend, at a time and place specified by the adjudicator, to give evidence at the hearing of an appeal; and
 - (b) to produce any documents in that person's custody or under that person's control, relating to any matter in the proceedings,

and any such notice is to contain a statement of the effect of paragraphs (2) to (5) below.

(2) A person in respect of whom a requirement has been made under paragraph (1) may apply to the adjudicator to vary or set aside that requirement.

(3) A person is not bound to comply with a requirement under paragraph (1)(a) unless—

- (a) that person has been given at least seven days' notice of the hearing; or
- (b) if less than seven days' notice has been given, that person has informed the adjudicator that that person accepts such notice as that person has been given.

(4) No person is to be required under paragraph (1) to give any evidence or produce any document which that person would be entitled to refuse to give or produce in proceedings in a court.

(5) If any person who is required under paragraph (1) to attend a hearing held by an adjudicator, or to produce any document to an adjudicator, fails without reasonable excuse to do so, that person commits an offence and is liable on summary conviction to a fine not exceeding level 2 on the standard scale.