
SCOTTISH STATUTORY INSTRUMENTS

2016 No. 244

Act of Sederunt (Fitness Assessment Tribunal Rules) 2016

Response to statement of reasons

6.—(1) The member concerned may lodge a written response to the investigating officer's recommendation and statement of reasons submitted under rule 4(6).

(2) Any written response must—

(a) be submitted to the Judicial Office within 28 days of—

(i) the date on which the member concerned is provided with a copy of the written recommendation under rule 4(7);

(ii) the date on which the tribunal notifies the member concerned that it has refused an application for further specification in terms of rule 5(4); or

(iii) the date on which the investigating officer provides further specification in terms of rule 5(3),

whichever is the latest;

(b) state to what extent any facts set out in the statement of reasons are admitted or denied;

(c) include any statement of facts that the member concerned wishes to make;

(d) indicate any issues of law that the member concerned intends to raise;

(e) provide the names and addresses of any persons that the member concerned may wish to call as witnesses; and

(f) provide a list and copies of any documents and a list of any productions to which the member concerned may wish to refer at any hearing.

(3) The tribunal may, on cause shown, allow the member concerned to lodge a supplementary written response containing further information falling within the scope of paragraphs (2)(b) to (f).