

SCHEDULE

THE FIRST-TIER TRIBUNAL FOR SCOTLAND HEALTH AND EDUCATION CHAMBER RULES OF PROCEDURE 2018

PART 2

Procedure in Respect of references to First- tier Tribunal under section 18(1) of the 2004 Act

Varying or setting aside of directions

26.—(1) Where a party to whom a direction is given under rule 25 was not afforded the opportunity to be heard before the direction was given and did not consent to the relative application, that person may apply at any time before the First-tier Tribunal has determined the reference, by notice to the First-tier Tribunal, to a legal member for the direction to be varied or set aside, but a legal member shall not vary it or set it aside without first notifying the other party and considering any representations made by that party.

(2) An application under paragraph (1) may be considered by a legal member alone or with such other members of the First-tier Tribunal as the legal member considers appropriate.