

SCHEDULE

The Upper Tribunal for Scotland Social Security Rules of Procedure 2018

PART 4

General Powers and Provisions

Citation of witnesses and orders to answer questions or produce documents

- 19.**—(1) On the application of a party or on its own initiative, the Upper Tribunal may—
- (a) by citation require any person to attend as a witness at a hearing at the time and place specified in the citation; or
 - (b) order any person to answer any questions or produce any documents in that person's possession or control which relate to any issue in the proceedings.
- (2) A citation under paragraph (1)(a) must—
- (a) give the person required to attend 14 days' notice prior to the day of the hearing or such other period as the Upper Tribunal may order;
 - (b) where the person is not a party, state how expenses of attendance necessarily incurred may be recovered;
 - (c) state that the person on whom the requirement is imposed may apply to the Upper Tribunal to vary or set aside the citation or order, if the person did not have an opportunity to object to it before it was made or issued; and
 - (d) state the consequences of failure to comply with the citation or order.
- (3) A person making an application referred to in sub-paragraph (2)(c) must do so as soon as reasonably practicable after receiving notice of the citation or order.
- (4) No person may be compelled to give any evidence or produce any document that the person could not be compelled to give or produce at a civil trial of an action in a court of law in Scotland.