

SCHEDULE

The Upper Tribunal for Scotland Social Security Rules of Procedure 2018

PART 4

General Powers and Provisions

Withdrawal

20.—(1) Subject to paragraph (2), a party may give notice to the Upper Tribunal of the withdrawal of the party's case, or any part of that case—

- (a) by sending or delivering to the Upper Tribunal a notice of withdrawal; or
- (b) orally at a hearing.

(2) Notice of withdrawal will not take effect unless the Upper Tribunal consents to the withdrawal except in relation to an application for permission to appeal.

(3) Unless satisfied that a party has already been notified, the Upper Tribunal must notify each party in writing that a withdrawal has taken effect under this rule.

(4) Where a case has been withdrawn in accordance with paragraphs (1) and (2), the party which has withdrawn its case may apply to the Upper Tribunal for the case to be reinstated, where the party can satisfy the Tribunal that the party has good reason to apply for reinstatement.

(5) An application under paragraph (4) must be made in writing and be received by the Upper Tribunal within the period of 31 days beginning with the earlier of—

- (a) the day on which the party which has withdrawn its case is presumed to have received the notification sent under paragraph (3) that the withdrawal has taken effect; or
- (b) if the party which has withdrawn its case was present at the hearing when the case was withdrawn orally under paragraph (1)(b), the day of that hearing.

(6) An application under paragraph (4) must set out the reasons on which the applicant relies in applying for reinstatement of the case.