

SCHEDULE

The Upper Tribunal for Scotland Social Security Rules of Procedure 2018

PART 6

Decisions

Notice of decisions and reasons

27.—(1) Subject to the remainder of this rule, the Upper Tribunal may give a decision orally at a hearing.

(2) The Upper Tribunal must provide to each party as soon as reasonably practicable after making a decision (other than a decision under Part 7 (appealing decisions of the Upper Tribunal)) which finally disposes of all issues in the proceedings or on a preliminary issue dealt with following an order under rule 8(3)(f) (dealing with an issue as a preliminary issue)—

- (a) a decision notice stating the Upper Tribunal's decision; and
- (b) notification of any rights of appeal against the decision and the time and manner in which such rights of appeal may be exercised.

(3) If the Upper Tribunal does not provide written reasons for a decision, a party may request written reasons, within the period of 14 days beginning with the day of the decision.

(4) The Upper Tribunal may publish any of its decisions if it considers it in the public interest so to do, with the manner of publication also at the discretion of the Upper Tribunal.

Reviews

28.—(1) The Upper Tribunal may at its own instance or at the request of a party review a decision (except an excluded decision) made by it if it considers it necessary in the interests of justice to do so and on review it may confirm, set aside, or set aside and re-decide the decision.

(2) An application under paragraph (1) must be made in writing within the period of 14 days beginning with the day of the decision and must state the reasons for making the application.

(3) The Upper Tribunal must send a copy of the application to any other party involved in the proceedings within the period of 10 working days beginning with the day of receipt of the application.

(4) The review must be decided as soon as reasonably practicable by the Upper Tribunal, with insofar as practicable the same members that decided the case, or where this is not practicable with members selected by the President.

(5) A notice of the decision on a review under paragraph (1) must as soon as reasonably practicable be sent by the Upper Tribunal to each party.

(6) The 30 days referred to in regulation 3(1) of the 2016 Regulations in respect of an application to the Upper Tribunal is extended by any review period.