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SCOTTISH STATUTORY INSTRUMENTS

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**2006 No. 88**

**The Additional Support Needs Tribunals for  
Scotland (Practice and Procedure) Rules 2006**

**PART VI**

**MISCELLANEOUS**

**Manner and time of service of notices etc.**

**48.**—(1) A notice given under these Rules shall be in writing and a person required under these Rules to notify a matter to the Secretary shall do so in writing.

(2) Notices and documents required by these Rules to be sent or delivered to the Secretary may be sent by post, by fax or by electronic communication to or be delivered at the address of the Secretary or such other address as the Secretary may notify.

(3) Any citation under rule 21 or 22 shall—

- (a) be posted by first class recorded or special delivery post properly addressed and pre paid to the addressee at their ordinary or last notified address; and
- (b) be deemed, unless the contrary is proved, to have been received on the second working day after posting.

(4) Any notice or document, other than a citation under rule 21 or 22, required or authorised to be given or sent under these Rules shall, subject to the provisions of paragraph (6) be deemed to have been given or sent if it was—

- (a) sent by first class post properly addressed and pre paid to the addressee at their ordinary or last notified address; or
- (b) transmitted by fax or communicated electronically to a fax number or electronic address specified by the addressee.

(5) Any such notice or document as is referred to in paragraph (4), shall, unless the contrary is proved, be deemed to have been received—

- (a) where sent by first class post, on the second working day after posting; or
- (b) if transmitted by fax or communicated electronically, on the first working day after the day on which it is received in legible form.

(6) Any such notice or document as is referred to in paragraph (4) shall not be transmitted by fax or electronic communication to a person unless that person has confirmed in writing that notices or documents will be considered to have been duly sent if transmitted or communicated to a specified fax number or electronic address.

(7) A person may at any time by notice to the Secretary change their address for service under these Rules.

(8) Where for any sufficient reason service of any document or the giving of any notice cannot be effected in the manner prescribed under this rule, a convener or a Tribunal may dispense with service

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or make an order for substituted service in such manner as may be deemed fit and such service shall have the same effect as service in the manner prescribed under this rule.

(9) In this rule, “working day” has the meaning given to it in rule 2 except that it includes any day in July which is not a Saturday, a Sunday or a day specified as a bank holiday in accordance with these Rules.