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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 104**

**The Additional Support Needs Tribunals for  
Scotland (Disability Claims Procedure) Rules 2011**

**PART 2**

**START OF PROCEEDINGS**

**Response**

**10.**—(1) The responsible body shall submit a response to the Secretary within the last ten working days of the case statement period.

(2) The response shall be signed and dated on behalf of the responsible body and shall state—

- (a) the name and address of the responsible body;
- (b) the address to which correspondence should be sent, if different;
- (c) the response to the grounds stated in the claim;
- (d) the basis on which the claim is resisted;
- (e) which facts as set out in the claim or in any statement of case under rule 8 are admitted and which are disputed;
- (f) any further facts on which the responsible body propose to rely; and
- (g) the name, address and profession of any representative appointed by the responsible body, and, where available, the representative's telephone number, fax number and electronic address.

(3) The responsible body must submit along with the response all written evidence to be relied on.

(4) A responsible body who does not submit a response shall not be entitled to take any part in the proceedings, except—

- (a) to make an application under rule 15 for a direction requiring the claimant to provide further information on the grounds on which the claimant relies and any facts and submissions relevant thereto, to enable the responsible body to respond;
- (b) to apply under rule 19 for an extension of the time appointed under this rule for the response; or
- (c) in exceptional circumstances at the discretion of a convener or a Tribunal at a hearing.

(5) In exceptional circumstances the responsible body may amend the response if permission is given by a convener or a Tribunal at a hearing.

(6) The responsible body shall submit to the Secretary a copy of every amendment for which permission is given.