

SCHEDULE

THE FIRST-TIER TRIBUNAL FOR SCOTLAND HEALTH AND EDUCATION CHAMBER RULES OF PROCEDURE 2018

PART 2

Procedure in Respect of references to First- tier Tribunal under section 18(1) of the 2004 Act

Irregularities

56.—(1) Any irregularity resulting from failure, at any time before the First-tier Tribunal has determined the reference, to comply with any provision of, or direction made under, these Rules shall not by itself render the proceedings void.

(2) Where any such irregularity comes to the attention of the First-tier Tribunal, the First-tier Tribunal may, and shall, if it considers that any person has been prejudiced by the irregularity, give such directions as it thinks just before reaching its decision to cure or waive the irregularity.

(3) Where these Rules require the legal member of the First-tier Tribunal to sign a document, and where by reason of death or incapacity the legal member is unable to do so, the other members of the First-tier Tribunal hearing the reference, whom failing the Chamber President, shall sign it and certify that the legal member is unable to sign.