

## SCHEDULE

### THE FIRST-TIER TRIBUNAL FOR SCOTLAND LOCAL TAXATION CHAMBER RULES OF PROCEDURE 2022

#### PART 1

##### Rules common to all proceedings before the First-tier Tribunal

###### Case management powers

4.—(1) Subject to the provisions of the 2014 Act and these Rules, the First-tier Tribunal may regulate its own procedure.

(2) The First-tier Tribunal may give an order in relation to the conduct or disposal of proceedings at any time, including an order amending, suspending or setting aside an earlier order.

(3) In particular, and without restricting the general powers in paragraphs (1) and (2), the First-tier Tribunal may by order—

- (a) extend or shorten the time for complying with any rule, practice direction or order, notwithstanding that that time may have expired,
- (b) where there are two or more cases before the First-tier Tribunal—
  - (i) specify one or more cases as a lead case or lead cases where—
    - (aa) in each such case the proceedings have not been finally determined, and
    - (bb) the cases give rise to common or related issues of fact or law, and
  - (ii) sist the other cases until the common or related issues have been determined,
- (c) permit or require a party to amend a document,
- (d) permit or require a party to provide documents, information, evidence or submissions to the First-tier Tribunal or to another party,
- (e) deal with an issue in the proceedings as a preliminary issue,
- (f) hold a hearing to consider any matter, including a case management hearing,
- (g) decide the form of any hearing having considered parties' preferences,
- (h) in respect of any appeal that was in progress prior to 1 April 2023 and was transferred to the First-tier Tribunal for completion—
  - (i) if the First-tier Tribunal considers it would be appropriate to do so, determine that the appeal is to be re-heard of new, and
  - (ii) in any such appeal that is to be re-heard, determine that such evidence relating to the appeal as parties agree on, and the First-tier Tribunal considers appropriate, be accepted,
- (i) adjourn or postpone a hearing, on its own initiative or following a request by any party, giving parties such notice as it considers reasonable,
- (j) with the agreement of the parties, bring forward a hearing,
- (k) require a party to produce a file of documents for a hearing, and, if it is satisfied that it is consistent with the overriding objective to do so, may stipulate in the order that such file be paginated and indexed,
- (l) sist proceedings,

**Changes to legislation:** There are currently no known outstanding effects for the The First-tier Tribunal for Scotland Local Taxation Chamber (Rules of Procedure) Regulations 2022, Paragraph 4. (See end of Document for details)

- (m) suspend the effect of its own decision pending determination by the First-tier Tribunal, Upper Tribunal, or other tribunal as the case may be, of—
  - (i) any application to appeal against or have that decision reviewed, and
  - (ii) such appeal or review as the applicable tribunal may subsequently conduct.

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**Commencement Information**

**II** [Sch. rule 4](#) in force at 1.4.2023, see [reg. 1\(2\)](#)

**Changes to legislation:**

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