
STATUTORY INSTRUMENTS

1974 No. 2068

**The Health and Safety Licensing Appeals
(Hearings Procedure) (Scotland) Rules 1974**

Notification of hearing

4.—(1) A date, time and place for the holding of the hearing shall be fixed and may be varied by the Secretary of State, who shall give not less than 42 days' notice in writing of such date, time and place to the parties:

Provided that—

- (i) with the consent of the parties, the Secretary of State may give such lesser period of notice as shall be agreed with the parties and in that event he may specify a date for service of the statement referred to in rule 5(1) later than the date therein prescribed;
- (ii) where it becomes necessary or advisable to vary the time or place fixed for the hearing the Secretary of State shall give such notice of the variation as may appear to him to be reasonable in the circumstances.

(2) The notice given under paragraph (1) of this rule shall state the name of the appointed person and whether or not he is to determine the appeal on behalf of the Secretary of State.

(3) Without prejudice to the foregoing provisions of this rule, the Secretary of State may require the licensing authority to take one or more of the following steps, namely:—

- (a) to publish in one or more newspapers circulating in the locality in which the site is situated such notice of the hearing and in such form as he may direct;
- (b) to serve such notice of the hearing, in such form and on such persons or classes of persons as he may direct;
- (c) to give such other notice of the hearing and in such form as he may direct,

and the requirements as to the period of notice contained in paragraph (1) of this rule shall not apply to any such notices.