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STATUTORY INSTRUMENTS

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**1974 No. 2068**

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

**Statements to be served before hearing**

5.—(1) Not later than 28 days before the date of the hearing (or such later date as the Secretary of State may specify under proviso (i) to paragraph (1) of rule 4), the licensing authority shall serve on the appellant a written statement of any submission which the licensing authority propose to put forward at the hearing and shall supply a copy of the statement to the Secretary of State for transmission to the appointed person.

(2) Where a government department has expressed in writing to the licensing authority a view in support of the decision of the licensing authority and the licensing authority propose to rely on such expression of view in their submissions at the hearing, they shall include it in their statement and shall supply a copy of the statement to the government department concerned.

(3) Where the licensing authority intend to refer to or put in evidence at the hearing, documents (including photographs, maps and plans), the authority's statement shall be accompanied by a list of such documents, together with a notice stating the times and place at which the documents may be inspected by the appellant; and the licensing authority shall afford the appellant a reasonable opportunity to inspect and, where practicable, to take copies of the documents.

(4) The appellant shall, if so required by the Secretary of State—

- (a) serve on the licensing authority and on the Secretary of State for transmission to the appointed person, within such time before the hearing as the Secretary of State may specify, a written statement of the submissions which he proposes to put forward at the hearing; and such statement shall be accompanied by a list of any documents (including photographs, maps and plans) which the appellant intends to refer to or put in evidence at the hearing; and
- (b) afford the licensing authority a reasonable opportunity to inspect and, where practicable, to take copies of such documents as are referred to in the foregoing provision. Appearances at hearing