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STATUTORY INSTRUMENTS

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**1974 No. 2068**

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

**Representatives of Government Departments at hearing**

7.—(1) 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 have included this view in the statement referred to in rule 5(1), the appellant may, not later than 14 days before the date of the hearing, apply in writing to the Secretary of State for a representative of the government department concerned to be made available at the hearing.

(2) The Secretary of State shall transmit any application made to him under the last foregoing paragraph to the government department concerned, who shall make a representative of the department available to attend the hearing.

(3) A representative of a government department who, in pursuance of this rule, attends a hearing shall be called as a witness by the licensing authority and shall state the reasons for the view expressed by his department and included in the authority's statement under rule 5(1) and shall give evidence and be subject to cross-examination to the same extent as any other witness.

(4) Nothing in the last foregoing paragraph shall require a representative of a government department to answer any question which in the opinion of the appointed person is directed to the merits of government policy or to matters which affect the safety of the State and the appointed person shall disallow any such question.