

# SCOTTISH STATUTORY INSTRUMENTS

2019 No.

## TRIBUNALS AND INQUIRIES

### The First-tier Tribunal for Scotland General Regulatory Chamber Parking and Bus Lane Appeals (Procedure) Regulations 2019

*Made* - - - - 2019

*Laid before the Scottish Parliament* 2019

*Coming into force* - - 1<sup>st</sup> April 2019

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 43(3), 61(2) and paragraph 4(2) of schedule 9 of the Tribunals (Scotland) Act 2014<sup>1</sup> and all other powers enabling them to do so.

In accordance with paragraph 4(3) of schedule 9 of that Act, they have consulted the President of the Scottish Tribunals and such other person as they have considered appropriate.

#### **Citation and commencement**

1.---(1) These Regulations may be cited as the First-tier Tribunal for Scotland General Regulatory Chamber Parking and Bus Lane Appeals (Procedure) Regulations 2019, and the Rules set out in the schedule may be cited as the First-tier Tribunal for Scotland General Regulatory Chamber Parking and Bus Lane Appeals Rules of Procedure 2019.

(2) These Regulations come into force on 1<sup>st</sup> April 2019.

#### **Application of the Rules set out in the schedule**

2. The Rules in the schedule apply to proceedings before the First-tier Tribunal for Scotland General Regulatory Chamber when exercising the functions transferred or allocated to it by the First-tier Tribunal for Scotland (Transfer of Functions and Members of the Parking and Bus Lane Adjudicators) Regulations 2019<sup>2</sup>.

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<sup>1</sup> 2014 asp 10.

<sup>2</sup> S.S.I.2019/XXX

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
2019

# SCHEDULE

Regulation 2

## THE FIRST-TIER TRIBUNAL FOR SCOTLAND GENERAL REGULATORY CHAMBER PARKING AND BUS LANE APPEALS RULES OF PROCEDURE 2019

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## **Interpretation**

1. (1) In these Rules—

“the 1991 Act” means the Road Traffic Act 1991<sup>3</sup> ;

“the 2001 Act” means the Transport (Scotland) Act 2001<sup>4</sup> ;

“the 2014 Act” means the Tribunals (Scotland) Act 2014<sup>5</sup>;

“appeal” means; an appeal against (a) an imposition of a charge for bus lane contraventions under section 44 of the 2001 Act; or (b) against a parking contravention under section 72 or paragraph 5 of schedule 6 of the 1991 Act;

“appeal period” means the period of 28 days specified in regulation 12(4) of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011 and under section 72(1) of the 1991 Act or paragraph 5 of schedule 6 of the 1991 Act;

“appellant” means the person or Local Authority making the appeal;

“approved device” means a device described by the Bus Lanes (Approved Devices) (Scotland) Order 2011;

“authorised representative” means a person who is entitled to sign documents on behalf of the appellant and to send and receive documents on their behalf.

“bus lane adjudicator” means a bus lane adjudicator in terms of regulation 11(a) of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011

“Chamber President” means the Chamber President of the First-tier Tribunal General Regulatory Chamber;

“charge notice” has the meaning given by regulation 8(1) of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011;

“disputed decision” means a decision of the local authority against which an appeal is made under these Regulations;

“electronic communication” has the meaning given to it by section 15(1) of the Electronic Communications Act 2000<sup>6</sup> and “electronic signature” has the same meaning as in section 7 of that Act<sup>7</sup>;

“First-tier Tribunal” means the First-tier Tribunal for Scotland General Regulatory Chamber;

“legal member” means an individual holding membership of the First-tier Tribunal in accordance with section 15(2) of the 2014 Act;

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<sup>3</sup> 1991 c.40

<sup>4</sup> 2001 asp 2

<sup>5</sup> 2014 asp 10

<sup>6</sup> 2000 c.7, as amended by paragraph 158 of schedule 17 of the Communications Act 2003 (c.21).

<sup>7</sup> Section 7 was amended by paragraph 1 of schedule 3 of the Electronic Identification and Trust Services for Electronic Transaction Regulations 2016/696

“local authority” means an authority which is an approved local authority in terms of section 44(2) of the 2001 Act

“original representations” means the representations made to the local authority under-

- (a) section 71, or paragraph 2 of schedule 6, of the 1991 Act; or
- (b) regulation 9 of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011;

“parking adjudicator” means a person appointed under section 73(3) of the Road Traffic Act 1991;

“party” means a person who is an appellant or Local Authority in proceedings before the First-tier Tribunal;

“penalty charge notice” has the meaning given in section 66 of the 1991 Act.

“proceedings” means proceedings before the First-tier Tribunal when convened to hear appeals against parking contraventions and the removal of vehicles and appeals against Bus Lane Enforcement Charge Notices;

“proper officer” means a member of the administrative staff provided under section 73(3)(b) of the 1991 Act appointed to perform the duties of the proper officer under these Rules;

“register” means the register of appeals and decisions kept in accordance with rule 25.

### **Overriding objective**

**2.** –(1) The overriding objective of the First-tier Tribunal is to deal with the proceedings fairly and justly.

(2) Dealing with proceedings fairly and justly includes—

- (a) dealing with the proceedings in a manner which is proportionate to the complexity of the issues and the resources of the parties;
- (b) avoiding unnecessary formality and seeking flexibility in the proceedings;
- (c) ensuring so far as practicable, that the parties are able to participate fully in proceedings;
- (d) using any special expertise of the First-tier Tribunal effectively; and
- (e) avoiding delay, so far as compatible with proper consideration of the issues.

(3) The First-tier Tribunal must seek to give effect to the overriding objective when it –

- (a) exercises any power under these rules; or
- (b) interprets any rule.

(4) In particular the First-tier Tribunal must manage appeals actively in accordance with the overriding objective.

### **Case management powers**

**3.—**(1) Subject to the provisions of the 2014 Act, the First-tier Tribunal may regulate its own procedure.

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

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

(a) extend or shorten the time for complying with any rule, practice direction or direction, unless such extension or shortening would conflict with a provision of another enactment setting down a time limit;

(b) consolidate or hear together two or more sets of proceedings or parts of proceedings raising common issues;

(c) permit or require a party to amend a document;

(d) permit or require a party to provide documents, information or submissions to the First-tier Tribunal;

(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 subject to agreement of both parties;

(h) adjourn or postpone a hearing;

(i) require an appellant to produce a file of documents for a hearing;

(j) sist proceedings;

(k) suspend the effect of its own decision pending the determination by the First-tier Tribunal or the Upper Tribunal, as the case may be, of an application for permission to appeal or a review;

(4) The First-tier Tribunal must seek to give effect to the overriding objective when it –

(a) exercises any power under these Rules; or

(b) interprets any rule.

(5) In particular the First-tier Tribunal must manage appeals actively in accordance with the overriding objective.

### **Striking out a case**

**4.—**(1) The First-tier Tribunal must strike out the whole or a part of the proceedings if the First-tier Tribunal—

- (a) does not have jurisdiction in relation to the proceedings or that part of them; and
  - (b) the First-tier Tribunal has decided not to exercise its power under rule 3(3)(k)(i) to transfer the proceedings or that part of them to another court or tribunal.
- (2) The First-tier Tribunal may strike out the whole or a part of the proceedings if—
- (a) the appellant has failed to comply with a direction which stated that failure by the appellant to comply with the direction could lead to the striking out of the proceedings or part of them;
  - (b) the appellant has failed to co-operate with the Tribunal to such an extent that the Tribunal cannot deal with the proceedings fairly and justly; or
  - (c) the Tribunal considers there is no reasonable prospect of the appellant’s case, or part of it, succeeding.
- (3) The Tribunal may not strike out the whole or a part of the proceedings under paragraphs (1) or (2)(b) or (c) without first giving the appellant an opportunity to make representations in relation to the proposed striking out.
- (4) If the proceedings, or part of them, have been struck out under paragraphs (1) or (2)(a), the appellant may apply for the proceedings, or part of them, to be reinstated.
- (5) An application under paragraph (5) must be made in writing and received by the First-tier Tribunal within 28 days after the date that the Tribunal sent notification of the striking out to the appellant.

### **Making an appeal following a decision from the Local Authority**

- 5.** –(1) An appeal is made by a notice of appeal sent to the proper officer.
- (2) A notice of appeal must be addressed to the First-tier Tribunal and must include —
- (a) the full name and address of the appellant;
  - (b) any other specified address as being the address of the appellant for receipt of any documents from the First-tier Tribunal in connection with the appeal;
  - (c) the date and reference number of the disputed decision;
  - (d) any representations on any of the statutory grounds of appeal which the appellant desires to make in addition to the original representations;
  - (e) the name of the authority by whom the decision to impose the charge notice was made and the date and reference number of the charge notice concerned;
  - (f) a request for a hearing; and
  - (g) a statement that the notice is a notice of appeal.

(3) If the appeal is made later than the appeal period, the notice of appeal must include a statement of the reasons on which the appellant relies for justifying the delay, and the First-tier Tribunal must treat any such statement of reasons as a request for extending that time limit.

(4) The notice of appeal must be signed by the appellant or their authorised representative or be authenticated by the PIN number issued for the specific Penalty Charge Notice appeal by the relevant Local Authority

### **Confirmation of appeal by the First-tier Tribunal**

**6.**—(1) Within 14 days of receipt of the notice of appeal, the First-tier Tribunal must-

- (a) send an acknowledgement of receipt of the notice of appeal to the appellant;
- (b) enter the particulars of the appeal in the register; and
- (c) send to the authority a copy of the notice of appeal and any direction extending the time limit for appealing.

(2) Upon receiving a copy of the notice of appeal in accordance with paragraph (1)(c), the Local Authority must within 21 days send to the proper officer a copy of –

- (a) the original representations;
- (b) the relevant penalty charge notice issued under section 66(1) of the 1991 Act or, as the case may be, the bus lane enforcement charge notice issued by regulation 8 of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011; and
- (c) the decision notice served under section 71(6) or, as the case may be, paragraph 2(7) of schedule 6 of the 1991 Act and regulation 10 (3) of the Bus Lane Contraventions (Charges, Adjudication and Enforcement) (Scotland) Regulations 2011.

### **Appeal documents**

**7.** The First-tier Tribunal must as soon as possible after receipt of any document from a party to proceedings, send a copy of that document to the individual or Local Authority.

### **Withdrawal of appeal**

**8.**—(1) The appellant may withdraw the appeal-

- (a) at any time before the hearing of the appeal by sending a notice of withdrawal to the First-tier Tribunal; or
- (b) at the hearing of the appeal.

(2) Where an appeal is withdrawn, no further appeal may be made in relation to the same decision.

### **Further representations**

**9.--** (1) An appellant to an appeal under these rules may send representations to the proper officer at any time before that appeal is determined.

(2) The First-tier Tribunal may invite an appellant to send to the proper officer representations dealing with any matter relating to an appeal within such time and in such a manner as may be specified.

(3) Where an appellant fails to respond to an invitation under paragraph (2), the First-tier Tribunal may draw such inferences as appear to it proper.

(4) Any representations sent under this rule must be signed by the appellant concerned or its authorised representative or authenticated through the PIN number issued for the appeal by the relevant Local Authority.

### **Power to require attendance of witnesses**

**10.—**(1) The First-tier Tribunal may by citation require the attendance of any person, at a time and place specified in the citation, to answer any questions as a witness or produce any document in the person's custody or control which relates to any matter in the proceedings.

(2) A citation under paragraph (1) must state

(a) that, under section 73(14) of the 1991 Act, any person who without reasonable excuse fails to comply with the citation is liable on summary conviction to a fine; and

(b) the amount of the maximum fine current at that time the citation is issued.

(3) A person receiving a citation under paragraph (1) may apply to the First-tier Tribunal to vary or set aside the citation.

(4) A person is not bound to comply with a citation unless the person has been given at least 7 days' notice of the hearing or, if given less than 7 days' notice, the person has informed the First-tier Tribunal that they accept the notice given.

(5) A person, other than an appellant, is not bound to comply with a citation under paragraph (1) unless the necessary expenses of the person's attendance are paid or tendered to them.

(6) No person is required to give any evidence or produce any document under paragraph (1) which the person could not be required to give or produce in proceedings before a court.

### **Decision of an appeal without a hearing**

**11.**—(1) Subject to paragraph (2), the First-tier Tribunal may decide an appeal without a hearing.

(2) The First-tier Tribunal must not decide an appeal without a hearing if the appellant has requested a hearing unless the appellant who made the request withdraws their request before notice of a hearing has been sent under rule 12;

(3) Unless both parties consent to the disposal taking place on an earlier date, the First-tier Tribunal must not decide an appeal without a hearing until after the expiry of 28 days beginning on the day an acknowledgement is sent in accordance with rule 6.

(4) Notwithstanding anything in paragraph (2), if both parties, having been sent a notice of the hearing of an appeal in accordance with rule 12, fail to attend or be represented at the hearing, the First-tier Tribunal may subsequently decide the appeal without a hearing.

### **Notice of time and place of hearing**

**12.**—(1) This rule has effect where a hearing is to be held for the purpose of deciding an appeal.

(2) The proper officer must fix the time and place of the hearing and, not less than 28 days (or such shorter time as the parties may agree) before the date so fixed, send to the appellant a notice that the hearing is to be at such time and at such place or notify them in such other manner as it thinks fit.

(3) The First-tier Tribunal may alter the time and place of any hearing and the proper officer must, not less than 7 days (or such shorter time as the parties may agree) before the date on which the hearing is then to be held, send to the appellant notice of the time and place of the hearing as altered or notify them in such other manner as it thinks fit.

(4) This rule applies to an adjourned hearing but where the parties are present, if the time and place of the adjourned hearing are announced before the adjournment, no further notice is required.

### **Procedure at a hearing**

**13.**—(1) At the beginning of the hearing the First-tier Tribunal must explain the procedure which it proposes to adopt.

(2) A hearing must be held in public unless the First-tier Tribunal, on its own initiative or on an application by an appellant, decides that it is necessary to do otherwise to ensure a fair hearing.

- (3) The First-tier Tribunal may, with the agreement of both parties hold a hearing and receive evidence by telephone, through a video link or by using any other method of communication if the First-tier Tribunal is satisfied that this would not prejudice the administration of justice and that there is no important public interest consideration which requires a hearing in person.
- (4) The First-tier Tribunal, with the consent of the appellant, may permit any other person to attend the hearing of an appeal which is held in private.
- (5) The First-tier Tribunal may exclude from the hearing of an appeal, or part of it, any person whose conduct has disrupted or is likely, in the opinion of the First-tier Tribunal, to disrupt the hearing.
- (6) Subject to paragraph (8), at the hearing of an appeal the appellant may conduct their case themselves (with the assistance of any person they wish) or may appear and be represented by any person whether or not legally qualified.
- (7) If the First-tier Tribunal is satisfied that there are good and sufficient reasons for doing so, it may refuse to permit a particular person to assist or represent the appellant at the hearing.
- (8) At the hearing of an appeal—
- (a) the parties are entitled to give evidence, to call witnesses, to question any witnesses and to address the First-tier Tribunal both on the evidence and generally on the subject matter of the appeal; and
  - (b) the First-tier Tribunal may receive evidence of any fact which appear to it to be relevant notwithstanding that such evidence would be inadmissible in proceedings before a court.

### **Evidence and submissions**

**14.** – (1) Without restriction on the general powers in rule 3(1) and (2) (case management powers), the First-tier Tribunal may give directions as to---

- (a) issues on which it requires evidence or submission;
  - (b) the nature of the evidence or submission it requires;
- (2) The First-tier Tribunal may permit evidence of the fact of a contravention to be given by the production of—
- (a) a record produced by an approved device; and

(b) in the same or another document, a certificate as to the circumstances in which the record was produced, signed by a person authorised in that behalf by the authority.

(3) A document stated in evidence to be such a record as is mentioned in paragraph (1)(a), or such a certificate as is mentioned in paragraph (1)(b), is to be treated as such a record or certificate, unless the contrary is proved.

### **Decision of the First-tier Tribunal**

**15.**—(1) Where an appeal is decided at a hearing, the decision of the First-tier Tribunal may be given orally at the end of the hearing or reserved until a later date.

(2) As soon as possible after making a decision, the First-tier Tribunal must issue a statement of the decision and the reasons for the decision to the parties.

(3) The statement referred to in paragraph (2) must be –

(a) signed and dated by a legal member of the First-tier Tribunal or electronically authenticated through the case management system; and

(b) recorded as soon as possible in the register, and a copy of the entry in the register sent by the proper officer to the parties.

(4) The First-tier Tribunal must send a copy of the decision to the parties to the appeal or an electronic link to the decision transmitted by email to a specified address, where the appellant has agreed in writing that they will accept notices and documents transmitted in that manner to that specified address together with a notice explaining the parties' right to a review of the decision or appeal on point of law and the time within which, and the manner in which, the right of appeal or review may be exercised

(5) Except where a decision is given orally at the end of the hearing, it shall be treated as having been made on the date on which a legal member signs or authenticates the statement referred to in paragraph (2).

### **Publication of decisions**

**16.**—(1) The First-tier Tribunal must make arrangements for the public pronouncement of its decisions, whether by giving its decisions orally at a public hearing or by publishing its decisions in writing.

(2) Where any decision refers to any evidence that has been heard in private, the material relating to that evidence must be omitted from the decision and the First-tier Tribunal may make any necessary amendments to the text of the decision for the purposes of publication.

(3) Decisions will be published in the register and may be published electronically with consideration by the First-tier Tribunal to redact sensitive data and information when appropriate.

### **Review of a decision**

**17.—**(1) The First-tier Tribunal has power on the application of the parties, to review any decision or interim decision on the grounds that—

- (a) the decision was wrongly made as a result of an error on the part of its administrative staff;
- (b) an appellant who had failed to appear or be represented at a hearing had good and sufficient reason for their failure to appear;
- (c) where the decision was made after a hearing, new evidence has become available since the conclusion of the hearing the existence of which could not have been reasonably known or foreseen;
- (d) where the decision was made without a hearing, new evidence has become available since the decision was made, the existence of which could not have been reasonably known of or foreseen; or
- (e) the interests of justice require such a review.

(2) The First-tier Tribunal has power on review to revoke or vary any decision, or interim decision.

(3) An application under this rule must be made to the proper officer within 14 days after the date on which a copy of the entry under rule 15(3)(b) was sent to the appellant and the Local Authority, and must state in full the grounds for that application.

(4) The appellant and Local Authority must receive the opportunity to make representations on any application for review under this rule.

(5) If the First-tier Tribunal directs a decision to be revoked it must substitute such decision as it considers appropriate.

(6) The Chamber President has the power, on the application of an appellant, Local Authority or adjudicator who was party to the proceedings, to order a review of a decision by the First-tier Tribunal which must be considered and reviewed by a different adjudicator.

### **Tribunal's consideration of application for permission to appeal to the Upper Tribunal**

- 18.**—(1) An appellant or Local Authority seeking permission to appeal must make a written application to the First-tier Tribunal for permission to appeal.
- (2) An application under paragraph (1) must—
- (a) identify the decision of the First-tier Tribunal to which it relates;
  - (b) identify the alleged point or points of law on which the party making the application wishes to appeal; and
  - (c) state the result the party making the application is seeking.
- (2) The First-tier Tribunal must decide whether to give permission to appeal to the Upper Tribunal.
- (3) An appeal to the Upper Tribunal is on point of law only.
- (4) The First-tier Tribunal must provide a record of its decision as soon as reasonably practicable to the parties, and any other person appearing to the tribunal to have an interest in the appeal to the Upper Tribunal.
- (3) If the First-tier Tribunal refuses permission to appeal, it must provide with the record of its decision under paragraph (2)—
- (a) a statement of its reasons for the refusal; and
  - (b) notification of the right to make an application to the Upper Tribunal for permission to appeal and the time within which, and the method by which, such an application must be made.

### **Conjoining of appeals**

- 19.**—(1) Where there are pending two or more appeals before the First-tier Tribunal and at any time it appears to the tribunal that—
- (a) some common question of law or fact arises in both or all the appeals; or
  - (b) for some other reason it is desirable to make an order under this rule, the First-tier Tribunal may order that some or all of the appeals as may be specified in the order are to be considered together and may give such consequential directions as it may consider necessary.
- (2) An order is not to be made under this rule unless all parties concerned have been given an opportunity to make representations about the making of such an order.

## **Expenses**

**20.**—(1) The First-tier Tribunal may, subject to paragraph (2), make an order for expenses –

- (a) against an appellant (including an appellant who has withdrawn their appeal) or the relevant local authority (if that authority has consented to an appeal being allowed) if the tribunal is of the opinion that that the appellant or relevant local authority, as the case may be, has acted frivolously or vexatiously or that their conduct in making, pursuing or resisting an appeal was wholly unreasonable; or
- (b) against the relevant local authority where the First-tier Tribunal considers that the disputed decision was wholly unreasonable.

(2) An order is not to be made under paragraph (1) against an appellant or relevant local authority unless that party has been given an opportunity to make representations against the making of the order.

(3) An order under paragraph (1) is to require the party against whom it is made to pay to the appellant or Local Authority a specified sum in respect of the expenses incurred by that other party in connection with the proceedings.

## **Miscellaneous powers of the First-tier Tribunal**

**21.**—(1) The First-tier Tribunal may, if it thinks fit –

- (a) extend the time appointed by or under these rules for doing any act, notwithstanding that the time appointed may have expired;
  - (b) if the appellant at any time gives notice of the withdrawal of his or her appeal, dismiss the proceedings;
  - (c) if the First-tier Tribunal consents to an appeal being allowed, allow the appeal;
- or
- (e) adjourn a hearing.

(2) The powers of the First-tier Tribunal conferred by –

- (a) these rules;

may be exercised by the First-tier Tribunal's own initiative or on the application of a party.

## **Correction of clerical mistakes or accidental slips or omissions**

**22.**—(1) The First-tier Tribunal may at any time correct any clerical mistake or other accidental slip or omission contained in any document recording a direction or decision of the First-tier Tribunal, or any document produced by it, by—

- (a) sending notification of the amended decision or direction, or a copy of the amended document to all parties; and
- (b) making any necessary amendment to any information published in relation to the decision, direction or document.

### **Sending of documents**

**23.**—(1) Any notice or document required or authorised by the rules to be sent to the First-tier Tribunal or Upper Tribunal may be sent to an appellant to an appeal, to the proper officer or to any other person.

(2) Subject to paragraph (3), any such document is to be regarded as having been sent to the person concerned if it is—

- (a) delivered to the person personally;
- (b) left at the person’s proper address;
- (c) sent to the person at that address by post or through a document exchange; or
- (d) transmitted to the person by fax or other means of electronic data transmission in accordance with paragraphs (3),(4) and (5).
- (e) transmitted by email to a specified address, where the appellant has agreed in writing that they will accept notices and documents transmitted in that matter to that specified address.

(3) All notices and documents required by these Rules to be sent or given by the First-tier Tribunal or the proper officer to a person, other than an appellant, must be—

- (a) sent or delivered to that person’s last known address; or
- (b) in any manner specified for that purpose by the First-tier Tribunal or person to whom the notice or document is directed.

(4) Any notice or document sent to a person in accordance with this rule must, unless the contrary is proved, be deemed to be received—

- (a) where the document is sent by 1<sup>st</sup> Class post, on the day after the day on which it was sent; and
- (b) in any other case, on the day on which the document was transmitted or delivered to that person.

(5) A notice or document sent or given to an appellant’s representative must be deemed to have been sent or given to them.

(6) An appellant may at any time by notice to the First-tier Tribunal change the address to which notices and documents are to be sent or transmitted to them.

(7) In the case of the relevant local authority, an indication under paragraph (3) can be expressed to apply to any appeal or review to which it is a party.

### **The register**

**24.**—(1) The register must be kept at the relevant office of the First-tier Tribunal and is to be open to the inspection of any person without charge at all reasonable hours.

(2) The register shall be kept open for inspection by any person without charge at all reasonable hours at the principal office of the First-tier Tribunal.

(3) The register may be kept in electronic form via a dedicated website.

(4) If the register is kept in electronic form, the duty to allow inspection is to be treated as a duty to allow inspection of a reproduction in legible form of the recording of the entry the inspection of which is being sought.

(5) A document purporting to be certified by the proper officer to be a true copy of any entry of a decision in a register is to be evidence of the entry and of the matters contained in it.

## **EXPLANATORY NOTE**

*(This note does not form part of the Regulations)*

These Regulations set out, in the schedule, the First-tier Tribunal for Scotland General Regulatory Chamber for Parking and Bus Lane Appeals Rules of Procedure. These Rules prescribe the practice and procedure to be followed in proceedings before the First-tier Tribunal for Scotland General Regulatory Chamber when considering appeals cases in respect of parking and bus lane contraventions.