

*Status: Point in time view as at 01/02/1991.*

*Changes to legislation: There are currently no known outstanding effects for the Data Protection Act 1984 (repealed 1.3.2000), Cross Heading: Hearing of appeals. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### APPEAL PROCEEDINGS

**Modifications etc. (not altering text)**

**C1** Sch. 3 applied (with modifications) by S.I. 1998/3170, reg. 3, Sch. 2

#### *Hearing of appeals*

- 1 For the purpose of hearing and determining appeals or any matter preliminary or incidental to an appeal the Tribunal shall sit at such times and in such places as the chairman or a deputy chairman may direct and may sit in two or more divisions.
- 2
  - (1) Subject to any rules made under paragraph 4 below, the Tribunal shall be duly constituted for an appeal under section 13 (1) of this Act if it consists of—
    - (a) the chairman or a deputy chairman (who shall preside); and
    - (b) an equal number of the members appointed respectively in accordance with paragraphs (a) and (b) of section 3(5) of this Act.
  - (2) The members who are to constitute the Tribunal in accordance with sub-paragraph (1) above shall be nominated by the chairman or, if he is for any reason unable to act, by a deputy chairman.
  - (3) The determination of any question before the Tribunal when constituted in accordance with this paragraph shall be according to the opinion of the majority of the members hearing the appeal.
- 3 Subject to any rules made under paragraph 4 below, the jurisdiction of the Tribunal in respect of an appeal under section 13(2) or (3) of this Act shall be exercised ex parte by the chairman or a deputy chairman sitting alone.

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