

SCHEDULES

SCHEDULE 3

Section 12(5).

TRIBUNALS HEARING APPEALS UNDER SECTION 12

Constitution of tribunals

- 1 (1) A tribunal constituted to hear an appeal under section 12 (“a tribunal”) shall consist of—
- (a) a Chairman appointed by the Lord Chancellor; and
 - (b) two other members appointed by the Secretary of State.
- (2) To be qualified for appointment as Chairman of a tribunal, a person must have a 7 year general qualification (within the meaning of section 71 of the Courts and Legal Services Act 1990).

Procedure of tribunals

- 2 (1) The Secretary of State may by regulations make provision with respect to the making of appeals to, and the procedure to be followed by, tribunals.
- (2) The regulations may, in particular, make provision—
- (a) as to the period within which, and manner in which, appeals must be brought;
 - (b) for the holding of hearings in private in prescribed circumstances;
 - (c) as to the persons who may appear on behalf of the parties;
 - (d) for enabling hearings to be conducted even though a member of the tribunal, other than the Chairman, is absent;
 - (e) as to the disclosure by the appellant, and others, of documents and the inspection of documents;
 - (f) requiring persons to attend the proceedings and give evidence;
 - (g) as to the payment of expenses incurred by persons compelled to attend proceedings by regulations made by virtue of paragraph (f);
 - (h) authorising the administration of oaths to witnesses;
 - (i) as to the withdrawal of appeals;
 - (j) as to costs and expenses incurred by any party to the proceedings; and
 - (k) authorising preliminary or incidental matters in relation to an appeal to be dealt with by the Chairman of the tribunal hearing that appeal.

Staff

- 3 (1) The Secretary of State may, with the consent of the Treasury, make such provision as he thinks fit for—
- (a) the allocation of staff for any tribunal;
 - (b) the remuneration of members of tribunals and the reimbursement of their expenses;

Status: This is the original version (as it was originally enacted).

- (c) defraying any reasonable expenses incurred by any tribunal.
- (2) Any sums payable under any provision made by the Secretary of State under subparagraph (1) shall be paid out of money provided by Parliament.