# Police and Magistrates' Courts Act 1994

## 1994 CHAPTER 29

### PART I

### POLICE

### CHAPTER I

### PRINCIPAL AMENDMENTS OF POLICE ACT 1964

*General*

**19    Appeals against dismissal etc**

(1) For section 37 of the 1964 Act (disciplinary appeals to Secretary of State) there shall be substituted—

   **"37 Appeals against dismissal etc**

   (1) A member of a police force who is dismissed, required to resign or reduced in rank by a decision taken in proceedings under regulations made in accordance with subsection (3) of section 33 of this Act may appeal to a police appeals tribunal against the decision except where he has a right of appeal to some other person; and in that case he may appeal to a police appeals tribunal from any decision of that other person as a result of which he is dismissed, required to resign or reduced in rank.

   (2) Where a police appeals tribunal allows an appeal it may, if it considers that it is appropriate to do so, make an order dealing with the appellant in a way—
      (a)   which appears to the tribunal to be less severe than the way in which he was dealt with by the decision appealed against, and
      (b)   in which he could have been dealt with by the person who made that decision.

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(3) The Secretary of State may make rules as to the procedure on appeals to police appeals tribunals under this section.

(4) Rules made under this section may make provision for enabling a police appeals tribunal to require any person to attend a hearing to give evidence or to produce documents, and may, in particular, apply subsections (2) and (3) of section 250 of the Local Government Act 1972 with such modifications as may be set out in the rules.

(5) A statutory instrument containing rules made under this section shall be laid before Parliament after being made.

(6) Schedule 5 to this Act shall have effect in relation to appeals under this section."

(2) For Schedule 5 to the 1964 Act there shall be substituted the Schedule set out in Schedule 3 to this Act.