
STATUTORY INSTRUMENTS

1987 No. 257

The Police Pensions Regulations 1987

Part H

Appeals and Medical Questions

Appeal by overseas policeman, inspector of constabulary or central police officer

H6.—(1) This Regulation shall apply in relation to—

- (a) an overseas policeman;
- (b) an inspector or assistant inspector of constabulary, or
- (c) a central police officer,

and any such person is hereafter in this Regulation referred to as an officer to whom this Regulation applies.

(2) Where an officer to whom this Regulation applies, or a person claiming an award in respect of such an officer, is aggrieved by the refusal of the Secretary of State as police authority to admit a claim to receive as of right an award or a larger award than that granted, or by the forfeiture under Regulation K5, by the Secretary of State as police authority, of any award granted to or in respect of such an officer, he may, subject to Regulation H7, give notice of appeal to the Secretary of State; and any such notice shall be in writing and shall specify the grounds of the appeal.

(3) The Secretary of State, on receiving such notice of appeal, shall appoint an appeal tribunal (hereafter in this Regulation referred to as the tribunal), consisting of 3 persons, including a barrister or solicitor of not less than 7 years' standing and a retired member of a police force who, before he retired, held a rank not lower than that of superintendent.

(4) The time and place for the hearing, or any postponed or adjourned hearing, of the appeal shall be determined by the tribunal, which shall give reasonable notice thereof to the appellant and to the Secretary of State as police authority (hereafter in this Regulation described as the parties).

(5) Either party may be represented before the tribunal by counsel, by a solicitor or by such other person as appears to him appropriate, adduce evidence and cross-examine witnesses.

(6) In the case of an appeal under this Regulation the tribunal shall have regard to the practice of the Crown Court in the case of an appeal under Regulation H5 and the rules of evidence applicable in the case of such an appeal shall apply in the case of an appeal under this Regulation.

(7) Subject to the preceding provisions of this Regulation, the tribunal shall determine its own procedure.

(8) The tribunal, after enquiring into the case and arriving at a decision thereon, may make such order in the matter as appears to it just, which order shall state the reasons for the decision; and each of the parties shall be entitled to a copy of any such order.

(9) An appeal shall lie on a point of law from any decision of a tribunal under this Regulation to the High Court in accordance with rules of court.

(10) In the case of an officer to whom this Regulation applies and who—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) in the case of an overseas policeman or a central police officer, immediately before becoming such, was a member of a Scottish police force, or
- (b) in the case of an inspector or assistant inspector of constabulary, was appointed (or treated as appointed) under section 33 or 34 of the Police (Scotland) Act 1967⁽¹⁾;

this Regulation shall have effect as if—

- (i) any reference to a barrister were a reference to an advocate, and
- (ii) any reference to the Crown Court or the High Court were a reference to the sheriff or, as the case may be, the Court of Session.

⁽¹⁾ 1967 c. 77.