

---

STATUTORY INSTRUMENTS

---

**1998 No. 1201**

**The Pensions Appeal Tribunals (England  
and Wales) (Amendment) Rules 1998**

7.—(1) In the Arrangement of Rules, in rule 20, for the words “Appeal in absence of appellant”, there shall be substituted the words—

“Appeal in absence of parties.”.

(2) For rule 20, there shall be substituted the following new rule—

**“ Appeal in absence of parties**

**20.**—(1) Subject to any arrangements made by the President under rule 21, to the provisions of rule 23 and to the following provisions of this rule, an appeal may be heard in the absence of the parties or their representatives.

(2) If a party fails to attend or be represented at a hearing of which he has been duly notified, the tribunal may—

- (a) unless it is satisfied that there is sufficient reason for such absence, hear and determine the appeal in the party’s absence; or
- (b) adjourn the hearing.

(3) The tribunal may, if it thinks that the presence of the appellant is necessary for the due determination of the appeal, give directions that the appeal shall not be heard in his absence.

(4) Subject to paragraph (3), the appeal may be heard in the absence of the appellant where he or his representative has requested it.

(5) Where an appeal has been determined under paragraph (2)(a) and the appellant applies to the President, without undue delay, for the decision to be set aside, the President may, if after affording each party a reasonable opportunity to make representations he considers that the interests of justice so require, grant the application and arrange for the appeal to be re-heard before a differently constituted tribunal; and he may make such further order as he thinks fit.”

**Changes to legislation:**

There are currently no known outstanding effects for the The Pensions Appeal Tribunals (England and Wales) (Amendment) Rules 1998, Section 7.