



Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 1

POLICE REFORM

CHAPTER 9

POLICE APPEALS TRIBUNALS

58 Determinations by tribunal

- (1) A police appeals tribunal may determine an appeal by—
 - (a) confirming the decision being appealed, or
 - (b) replacing that decision with any less severe decision which could have been made by the person who made it.
- (2) Where the determination replaces the decision appealed against, it takes effect from the date of the decision which resulted in the dismissal or demotion in rank of the appellant.
- (3) Subsection (4) applies where a determination made by a police appeals tribunal reinstates the appellant—
 - (a) as a constable,
 - (b) in—
 - (i) the rank previously held by the appellant, or
 - (ii) a different rank.
- (4) The appellant is to be deemed, for the purposes of reckoning service for pension and to such extent (if any) as may be determined by the tribunal for the purposes of pay, to have served as a constable, or in the reinstated or different rank, continuously from the date of the decision which resulted in the dismissal or demotion in rank of the appellant to the date of the tribunal's determination.

Status: This is the original version (as it was originally enacted).

- (5) In determining an appeal, the tribunal may deal with such other matters relating to the appellant's reinstatement or period of service as the tribunal thinks fit including, in particular, any periods where the appellant was suspended in consequence of the proceedings which led to the appellant's dismissal.