

## SCHEDULE 10

### APPEALS

#### PART I

**1.** In this Schedule—

- (a) “appeal” means an appeal under regulation 36;  
“appellant” means a person who has brought an appeal;  
“appointed person” means a person appointed in accordance with paragraph 2;  
“appropriate person” has the same meaning as it has in regulation 36;  
“hearing” means a hearing to which Part II of this Schedule applies;  
“the parties” means the appellant and the Ministers;
- (b) a reference to “government department” includes, in the case of an appeal relating to a decision of the Ministers in or as regards Scotland, a reference to the Scottish Administration or any part thereof; and
- (c) a reference to a numbered sub-paragraph is a reference to the sub-paragraph so numbered in the paragraph in which that reference occurs.

**2.** The appropriate person shall direct that an appeal shall be determined by a person appointed by him for the purpose and the appropriate person shall notify the parties in writing of the name of the appointed person.

**3.** Before the determination of an appeal, the appointed person shall ask the parties whether they wish to appear and be heard on the appeal and—

- (a) the appeal may be determined without a hearing if the parties express a wish not to be heard as aforesaid;
- (b) the appointed person shall, if either of the parties expresses a wish to appear and be heard, afford both of them an opportunity of so doing, in which case the provisions of Part II of this Schedule shall apply.

**4.** An appointed person may give such directions as he thinks appropriate to give effect to his determination.

**5.** The appropriate person may pay to an appointed person such remuneration and allowances as the appropriate person may, with the approval of the Minister for the Civil Service, determine.