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SCOTTISH STATUTORY INSTRUMENTS

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**2013 No. 62**

**The Police Service of Scotland (Senior Officers) (Conduct) Regulations 2013**

**PART 1**

**General**

**Legal representation**

**5.—(1)** The senior officer is, in accordance with this regulation, entitled to be legally represented at any misconduct hearing or appeal hearing by an advocate or solicitor of the senior officer's choice.

(2) If the senior officer intends to be represented in accordance with paragraph (1), the senior officer must—

- (a) in the case of a misconduct hearing, notify the chairing member of the panel of that intention not less than 5 working days before the date of that hearing; and
- (b) in the case of an appeal hearing, notify the Authority of that intention not less than 5 working days before the date of that hearing.

(3) Where the senior officer does not make a notification under paragraph (2), the senior officer—

- (a) is not entitled to be legally represented; and
- (b) may be dismissed or receive, in accordance with these Regulations, any other disciplinary or improvement action without being so represented.

(4) This regulation is without prejudice to the senior officer's right to be represented by a police friend at a misconduct hearing or appeal hearing.