



Banking Act 1987 (repealed)

1987 CHAPTER 22

PART I

REGULATION OF DEPOSIT-TAKING BUSINESS

Appeals

28 Constitution of tribunals.

- (1) Where an appeal is brought under section 27 above a tribunal to determine the appeal shall be constituted in accordance with subsection (2) below.
- (2) The tribunal shall consist of—
 - (a) a chairman appointed by the Lord Chancellor or, in a case where the institution concerned is a company registered in Scotland or has its principal or prospective principal place of business in the United Kingdom in Scotland, by the Lord Chancellor in consultation with the Lord Advocate; and
 - (b) two other members appointed by the Chancellor of the Exchequer.
- (3) The chairman shall be
 - [^{F1}(a) person who has a seven year general qualification, within the meaning of section 71 of the Courts and Legal Services Act 1990;
 - (b) an advocate or solicitor in Scotland of at least seven years' standing; or
 - (c) a member of the Bar of Northern Ireland or solicitor of the Supreme Court of Northern Ireland of at least seven years' standing];and the other two members shall be persons appearing to the Chancellor of the Exchequer to have respectively experience of accountancy and experience of banking.
- [^{F2}(3A) A person shall not be appointed after the day on which he attains the age of 70 to be the chairman of a tribunal under this section.]
- (4) The Treasury may out of money provided by Parliament pay to the persons appointed as members of a tribunal under this section such fees and allowances in respect of

Status: Point in time view as at 31/03/1995. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Banking Act 1987 (repealed), Section 28. (See end of Document for details)

expenses as the Treasury may determine and may also out of such money defray any other expenses of a tribunal.

Textual Amendments

- F1** S. 28(3)(a)(b)(c) substituted by Courts and Legal Services Act 1990 (c. 41, SIF 37), s. 71(2), **Sch. 10 para. 69**
- F2** S. 28(3A) inserted (31.3.1995) by 1993 c. 8, s. 26, **Sch. 6 para.65** (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art. 2**

Modifications etc. (not altering text)

- C1** S. 28 restricted (31.3.1995) by 1993 c. 8, s. 26(8)(f), (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631, **art. 2**
 S. 28 applied (with modifications) (1.12.2001) by S.I. 2001/3592, **art. 113(1)** (with art. 23(2))
- C2** S. 28: functions of the Lord Advocate transferred to the Secretary of State (19.5.1999) by S.I. 1999/678, art. 2(1), **Sch.** (with art. 7)
- C3** S. 28(2)(a): functions of the Secretary of State transferred to the Scottish Ministers (1.7.1999) by S.I. 1999/1750, art. 2, **Sch. 1** (with art. 7); S.I. 1998/3178, **art.3**

Status:

Point in time view as at 31/03/1995. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Banking Act 1987 (repealed), Section 28.