

Status: Point in time view as at 31/03/1995.

Changes to legislation: There are currently no known outstanding effects for the Education (Schools) Act 1992, SCHEDULE 3. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 12(5).

TRIBUNALS HEARING APPEALS UNDER SECTION 12

Modifications etc. (not altering text)

C1 Sch. 3 restricted (31.3.1995) by 1993 c. 8, ss. 26(8)(h), 31(2), (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631 art. 2

Commencement Information

II Sch. 3 wholly in force at 31.8.1992 see s. 21(3) and S.I. 1992/1157, art. 2, Sch.

Constitution of tribunals

- 1 (1) A tribunal constituted to hear an appeal under section 12 (“a tribunal”) shall consist of—
- a Chairman appointed by the Lord Chancellor; and
 - two other members appointed by the Secretary of State.
- (2) To be qualified for appointment as Chairman of a tribunal, a person must have a 7 year general qualification (within the meaning of section 71 of the ^{M1}Courts and Legal Services Act 1990).
- [^{F1}(3) A person shall not be appointed after the day on which he attains the age of 70 to be the Chairman of a tribunal.]

Textual Amendments

F1 Sch. 3 para. 1(3) added (31.3.1995) by 1993 c. 8, ss. 26, 31(2), Sch. 6 para.67 (with Sch. 7 paras. 2(2), 3(2), 4); S.I. 1995/631 art. 2

Commencement Information

I2 Sch. 3 wholly in force at 31.8.1992 see s. 21(3) and S.I. 1992/1157, art. 2, Sch.

Marginal Citations

M1 1990 c. 41.

Procedure of tribunals

- 2 (1) The Secretary of State may by regulations make provision with respect to the making of appeals to, and the procedure to be followed by, tribunals.
- (2) The regulations may, in particular, make provision—
- as to the period within which, and manner in which, appeals must be brought;

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- (b) for the holding of hearings in private in prescribed circumstances;
- (c) as to the persons who may appear on behalf of the parties;
- (d) for enabling hearings to be conducted even though a member of the tribunal, other than the Chairman, is absent;
- (e) as to the disclosure by the appellant, and others, of documents and the inspection of documents;
- (f) requiring persons to attend the proceedings and give evidence;
- (g) as to the payment of expenses incurred by persons compelled to attend proceedings by regulations made by virtue of paragraph (f);
- (h) authorising the administration of oaths to witnesses;
- (i) as to the withdrawal of appeals;
- (j) as to costs and expenses incurred by any party to the proceedings; and
- (k) authorising preliminary or incidental matters in relation to an appeal to be dealt with by the Chairman of the tribunal hearing that appeal.

Modifications etc. (not altering text)

C2 Sch. 3, para. 2 applied (1.9.1996) by 1996 c. 50 s. 5, Sch. 1, para. 10(2); S.I. 1996/2022, art.2

Commencement Information

I3 Sch. 3 wholly in force at 31.8.1992 see s. 21(3) and S.I. 1992/1157, art. 2, Sch.

Staff

- 3 (1) The Secretary of State may, with the consent of the Treasury, make such provision as he thinks fit for—
- (a) the allocation of staff for any tribunal;
 - (b) the remuneration of members of tribunals and the reimbursement of their expenses;
 - (c) defraying any reasonable expenses incurred by any tribunal.
- (2) Any sums payable under any provision made by the Secretary of State under subparagraph (1) shall be paid out of money provided by Parliament.

Modifications etc. (not altering text)

C3 Sch. 3, para. 3(1) applied (1.9.1996) by 1996 c. 50, s. 5, Sch. 1, para. 10(2); S.I. 1996/2022, art. 2

Commencement Information

I4 Sch. 3 wholly in force at 31.8.1992 see s. 21(3) and S.I. 1992/1157, art. 2, Sch.

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