

SCHEDULE

PART V

general

Hearing and adjournment

22.—(1) Subject to the provisions of paragraph 3 of Schedule 4 to the Act and any Rules made thereunder the Committee may deliberate in camera (with or without the Legal Assessor) at any time and for any purpose during or after the hearing of any proceedings.

(2) Subject to paragraph (1) all proceedings before the Committee shall take place in the presence of all parties thereto who appear therein and shall be held in public except as provided by the following paragraph hereof.

(3) Where in the interests of justice or for any other special reason it appears to the Committee that the public should be excluded from any proceedings or part thereof, the Committee may direct that the public shall be so excluded: but a direction under this paragraph shall not apply to the announcement in pursuance of any of these Rules of a determination of the Committee.

(4) The Committee may adjourn their proceedings from time to time as they think fit.

Evidence

23.—(1) Where any respondent or applicant has supplied to the Committee or the Secretary on their behalf the name of any person to whom reference may be made confidentially as to his character or conduct the Committee may consider any information received from such person in consequence of such reference without disclosing the same to the respondent or applicant.

(2) The Committee may receive oral, documentary, or other evidence of any fact which appears to them relevant to the hearing of the case before them:

Provided that where a fact which it is sought to prove or the form in which any evidence is tendered is such that it would not be admissible in criminal proceedings in an English court, the Committee shall not receive evidence of that fact or in that form, unless after consultation with the Legal Assessor they are satisfied that it is desirable in the interests of justice to receive it having regard to the difficulty and expense of obtaining evidence which would be so admissible.

(3) The Committee may cause any person to be called as a witness in any proceedings before them whether or not the parties consent thereto.

(4) Questions may be put to any witness by the Committee through the Chairman or by the Legal Assessor with the leave of the Chairman.

Voting

24.—(1) Any question put to the vote shall be put in the form of a motion. The Chairman shall call upon the members present to vote for or against the motion by raising their hands and shall declare that the motion appears to him to have been carried or not carried as the case may be.

(2) Where on any of the questions the votes are equal, the question shall be deemed to have been resolved in favour of the respondent or applicant, as the case may be, and for the purpose of this paragraph a decision to postpone judgment shall be taken to be in favour of the respondent or applicant unless he has indicated to the Committee that he is opposed to postponement.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Notes and transcript of proceedings

25. A shorthand writer shall be appointed by the Committee to take notes of their proceedings and any party to proceedings of the Committee shall, on application to the Solicitor