
STATUTORY INSTRUMENTS

1996 No. 1644

The Police Appeals Tribunals (Scotland) Rules 1996

Citation, commencement and interpretation

1.—(1) These Rules may be cited as the Police Appeals Tribunals (Scotland) Rules 1996 and shall come into force on 1st August 1996.

(2) In these Rules, unless the context otherwise requires—

“the Act” means the Police (Scotland) Act 1967;

“appeal” means an appeal by a constable which is made under section 30(1) of the Act;

“the appellant” means the constable making an appeal;

“Conduct Regulations” means the Police (Conduct) (Scotland) Regulations 1996(1);

“disputed decision” means the decision which is the subject of the appeal;

“Efficiency Regulations” means the Police (Efficiency) (Scotland) Regulations 1996(2);

“inefficiency hearing” means an inefficiency hearing which the appellant was required to attend in terms of regulation 13 of the Efficiency Regulations;

“misconduct hearing” means—

(a) in the case of an appellant who is not a senior officer, a hearing which the appellant was required to attend pursuant to regulation 10 of the Conduct Regulations; or

(b) in the case of an appellant who is a senior officer, a hearing which the appellant was required to attend pursuant to regulation 14 of the Senior Officers' Conduct Regulations;

“the Registrar” means the officer of the relevant police authority who is appointed to perform the functions of the Registrar specified in these Rules;

“relevant police authority” has the same meaning as in paragraph 10 of Schedule 3 to the Act;

“representative”, in relation to a party, means the person who may in terms of paragraph 6(2) of Schedule 3 to the Act represent the party at a hearing of an appeal;

“the respondent” has the meaning assigned by rule 3;

“senior officer” has the same meaning as in paragraph 10 of Schedule 3 to the Act;

“Senior Officers' Conduct Regulations” means the Police (Conduct) (Senior Officers) (Scotland) Regulations 1996(3);

“statement of case” means—

(a) in the case of an appellant, the statement which he is required to send in accordance with rule 4 together with any adjustments made in accordance with rule 6; and

(b) in the case of the respondent, the statement which he is required to send in accordance with rule 5 together with any adjustments made in accordance with rule 6;

(1) S.I. 1996/1642.

(2) S.I.1996/1643.

(3) S.I. 1996/1645.

Status: This is the original version (as it was originally made).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

“the tribunal” means the police appeals tribunal appointed under paragraph 1 or 2 of Schedule 3 to the Act in relation to the appeal.

(3) Unless the context otherwise requires, any reference in these Rules to a numbered rule is a reference to the rule bearing that number in these Rules; and any reference in a Rule to a numbered paragraph is a reference to the paragraph bearing that number in that Rule.