
STATUTORY INSTRUMENTS

1997 No. 798

The Reserve Forces Appeal Tribunals Rules 1997

PART IV

DETERMINATION OF APPEALS

Hearings to be in public: exceptions

- 22.**—(1) All hearings by the Tribunal shall be in public except where—
- (a) a direction under paragraph (4) has been made; or
 - (b) the Tribunal is satisfied that, by reason of the disclosure of matters which relate to intimate personal or financial circumstances, are commercially sensitive, consist of information communicated or obtained in confidence or concern personal or national security, it is just and reasonable for the hearing or any part thereof to be in private.
- (2) Except where a direction under paragraph (4) has been made, the following persons shall be entitled to attend the hearing, whether or not it is in private—
- (a) any members of the panel of chairmen or members appointed under section 90 or 91 of the Act, notwithstanding that they do not constitute the Tribunal for the purpose of the hearing;
 - (b) a member of the Council on Tribunals or of the Scottish Committee of that Council.
- (3) Except where a direction under paragraph (4) has been made, the Tribunal, with the consent of the parties, may permit any other person to attend a hearing which is held in private.
- (4) The Secretary of State may on grounds of national security direct the Tribunal to hold part or all of the hearing in private.
- (5) A direction under paragraph (4) shall not prevent an officer appointed in accordance with section 92(2) of the Act from attending the hearing if the Tribunal so requires.
- (6) Without prejudice to any other powers it may have, the Tribunal may exclude from the hearing, or part of it, any person whose conduct has disrupted or is likely, in the opinion of the Tribunal, to disrupt the hearing.