
STATUTORY INSTRUMENTS

1997 No. 798

The Reserve Forces Appeal Tribunals Rules 1997

PART IV

DETERMINATION OF APPEALS

Failure of parties to attend hearing

23.—(1) If a party who expressed an intention to attend or be represented at a hearing fails to attend or be represented at that hearing the Tribunal may—

- (a) unless it is satisfied that there is sufficient reason for such absence, hear and determine the appeal in the party's absence; or
- (b) adjourn the hearing,

and may make such order under rule 28(1) below as to costs or expenses as it thinks fit.

(2) Before deciding to dispose of any appeal in the absence of a party, the Tribunal shall consider any representations in writing submitted by that party and, for the purpose of this rule, the notice of appeal and any reply, any amendments to either of them, any documents submitted with them and any supplementary statements shall be treated as representations in writing.

(3) Where an appellant has failed to attend a hearing of which he was duly notified, and the Tribunal has disposed of the appeal, no fresh appeal may be made by the appellant to a Tribunal against the same disputed determination without the prior leave of the Tribunal:

Provided that nothing in this paragraph shall preclude the appellant from making an application for a review of the Tribunal's determination under rule 27 below.