
STATUTORY INSTRUMENTS

1997 No. 798

The Reserve Forces Appeal Tribunals Rules 1997

PART II

MAKING AN APPEAL TO THE TRIBUNAL AND REPLY BY THE AUTHORITY

(C)

THE AUTHORITY

Action by the Authority on receipt of a notice of appeal

8.—(1) The Authority shall on receiving a copy of the notice of appeal prepare a written reply acknowledging the notice of appeal and stating—

- (a) whether or not the Authority intends to oppose the appeal and the grounds on which it relies in opposing the appeal;
- (b) the name and address of the representative (if any) of the Authority and whether such address is the address of the Authority for the purposes of the appeal;
- (c) whether the Authority wishes to attend or be represented at the hearing;
- (d) the name and address of any witness whom the Authority wishes to give evidence to the Tribunal.

(2) The Authority shall include with its reply—

- (a) a statement summarising the facts relating to the disputed determination and, if they are not part of that determination, the reasons for that determination;
- (b) a copy of every document considered by the Authority in making the disputed determination except those which the Secretary has notified the Authority as having already been submitted by the applicant.

(3) The reply shall be signed by an officer of the Authority and shall be sent or delivered to the office of the Secretary so that it is received there not later than 5 days after the date on which the copy of the notice of appeal was received by the Authority from the Secretary.

(4) The Authority may include in its reply, or in a separate notice to the Tribunal, a request for further particulars of the appeal.