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STATUTORY INSTRUMENTS

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**1999 No. 1074**

**The Police (Conduct) (Senior Officers) (Scotland) Regulations 1999**

**Hearing in absence of the senior officer**

**20.**—(1) If the senior officer does not attend at the misconduct hearing or at any adjournment thereof, the hearing may be proceeded with and concluded in his absence if it appears to the chairman just and proper to do so.

(2) Notwithstanding the terms of paragraph (1)—

- (a) if the senior officer is detained while serving the sentence of a court in a prison or other institution in any part of the British Islands and expresses a desire to make representations in person at the hearing, the hearing shall not be concluded until the senior officer has been able to make such representations; and
- (b) if any other good reason is given to the chairman by, or on behalf of, the senior officer why he is unable to attend the hearing, the hearing shall be postponed or adjourned, as the case may be.

(3) Subject to paragraph (2), where, owing to the absence of the senior officer, it is not possible to comply with the whole or any part of the procedure described in these Regulations, the case may be proceeded with as if that procedure had been complied with.