

## SCHEDULE 8

### APPEALS

#### PART 2

9.—(1) All hearings shall be held in private.

(2) Except as otherwise provided in this Part of the Schedule, the procedure of the hearing shall be such as the appointed person shall in his discretion determine and the appointed person shall state at the commencement of the hearing the procedure which, subject to consideration of any submission by the parties, he proposes to adopt.

(3) Unless in a particular case the appointed person, with the consent of the appellant, otherwise determines, the appellant shall be heard first and shall have the right of final reply.

(4) The parties shall be entitled to make an opening statement, call evidence and cross-examine persons giving evidence but any other person appearing at the hearing may only do so to the extent permitted by the appointed person.

(5) Subject to sub-paragraph (6), any evidence may be admitted at the discretion of the appointed person, who may direct that documents tendered in evidence may be inspected by any person entitled or permitted to appear at the hearing and that facilities be afforded him to take or obtain copies thereof.

(6) The appointed person shall not require or permit the giving or production of any evidence, whether written or oral, which would be contrary to the public interest.

(7) The appointed person may allow the parties to alter or add to the submissions contained in any statement served under paragraph 7(1) or (3), or to any list of documents which accompanied such statement, so far as may be necessary for the purpose of determining the questions in controversy between them, but shall (if necessary, by adjourning the hearing) give the other party an adequate opportunity of considering any such fresh submission or document.

(8) If any person entitled to appear at the hearing fails to appear, the appointed person may proceed with the hearing at his discretion.

(9) The appointed person shall be entitled (subject to disclosure thereof at the hearing) to take into account any written representations or statements received by him before the hearing from any person.

(10) The appointed person may from time to time adjourn the hearing, and where he does so, shall give reasonable notice to every person entitled or permitted to appear at the hearing of the date, time and place of the adjourned hearing.