

SCHEDULE

PROCEDURE IN ADJUDICATION PROCEEDINGS

PART 2

PROCEDURE RELATING TO APPEALS

Procedure at a hearing

10.—(1) At the beginning of the hearing of an appeal the adjudicator must explain the order of proceedings.

(2) Subject to the provisions of this paragraph, the adjudicator must conduct the hearing of an appeal in the manner most suitable to the clarification of the issues and generally to the just handling of the proceedings, and the adjudicator must seek to avoid formality in the proceedings so far as appears to the adjudicator to be appropriate.

(3) At the hearing of an appeal—

(a) the parties are entitled to give evidence, to call witnesses and to address the adjudicator both on the evidence and generally on the subject matter of the appeal;

(b) the adjudicator may receive evidence of any fact which appears to the adjudicator to be relevant notwithstanding that such evidence would be inadmissible in proceedings before a court of law.

(4) Without prejudice to paragraph 6(3)(c), where a party who has been sent a notice of the hearing of an appeal or has otherwise been notified of the hearing in accordance with paragraph 7 fails to attend the hearing, the adjudicator may dispose of the appeal in that party's absence.