



Banking Act 1979

1979 CHAPTER 37

PART I

CONTROL OF DEPOSIT-TAKING

Appeals

12 Regulations with respect to appeals

- (1) Provision may be made by regulations with respect to appeals under section 11 above—
 - (a) as to the period within which and the manner in which such appeals are to be brought;
 - (b) as to the persons (in this subsection referred to as " appointed persons ") by whom such appeals are to be heard on behalf of the Chancellor of the Exchequer ;
 - (c) as to the manner in which such appeals are to be conducted, including provision for any hearing before appointed persons to be held in private;
 - (d) for requiring any person, on tender of the necessary expenses of his attendance, to attend and give evidence or produce documents in his custody or under his control;
 - (e) for taxing or otherwise settling any costs or expenses directed to be paid under section 11(3)(b) above and for the enforcement of any such direction; and
 - (f) as to any other matter connected with such appeals.
- (2) Subject to subsection (3) below, regulations under this section shall be made by the Treasury after consultation with the Council on Tribunals and shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.
- (3) Regulations under this section with respect to Scottish appeals, that is to say, appeals where the institution concerned—
 - (a) is a company registered in Scotland, or

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- (b) has its principal or prospective principal place of business in the United Kingdom in Scotland,
- shall be made by the Lord Advocate after consultation with the Council on Tribunals which shall consult with its Scottish Committee.
- (4) A person who, having been required in accordance with regulations under this section to attend and give evidence, fails without reasonable excuse to attend or give evidence shall be liable on summary conviction to a fine not exceeding £1,000.
- (5) A person who intentionally alters, suppresses, conceals, destroys or refuses to produce any document which he has been required to produce in accordance with regulations under this section, or which he is liable to be so required to produce, shall be liable—
- (a) on summary conviction to a fine not exceeding the statutory maximum; and
 - (b) on conviction on indictment to imprisonment for a term not exceeding two years or to a fine or both.
- (6) The Treasury may, out of money provided by Parliament, pay to any persons appointed as mentioned in paragraph (b) of subsection (1) above such fees and make good to them such expenses as the Treasury may determine.