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 STATUTORY INSTRUMENTS
 

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1975 No. 1188 (L.12)

## PENSIONS

**The Pensions Appeal Tribunals (England and Wales)  
(Amendment) Rules 1975**

<i>Made</i>	- - -	17th July 1975
<i>Laid before Parliament</i>		28th July 1975
<i>Coming into Operation</i>		19th August 1975

The Lord Chancellor, in exercise of the powers conferred on him by paragraph 5(4) of the Schedule to the Pensions Appeal Tribunals Act 1943(a) and after consultation with the Council on Tribunals in accordance with section 10 of the Tribunals and Inquiries Act 1971(b), hereby makes the following Rules:—

1. These Rules may be cited as the Pensions Appeal Tribunals (England and Wales) (Amendment) Rules 1975 and shall come into operation on 19th August 1975.

2. The Pensions Appeal Tribunals (England and Wales) Rules 1971(c), as amended(d), shall be further amended as follows:—

(1) in rule 30—

(a) in paragraph (1), for the figure “£17·25” there shall be substituted the figure “£34·80”;

(b) for paragraph (2) there shall be substituted the following paragraph:—

“(2) Where the tribunal summon an expert or other witness, the tribunal may direct the payment to such witness of a fee not exceeding £17·40 or such greater fee not exceeding £34·80 as the President may direct.”;

(c) the following paragraph shall be inserted after paragraph (2):—

“(3) Where the tribunal obtain from a medical practitioner, a hospital or other institution a report, certificate or other documentary information relating to an appeal, the President may direct the payment to the medical practitioner, hospital or institution such sum, not exceeding £34·80, as he may think reasonable.”;

(2) in Schedule 2, Part I (which relates to subsistence allowances to appellants, etc.) in paragraph 1(b), for the words “4 miles” there shall be substituted the words “5 miles”;

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(a) 1943 c. 39.

(b) 1971 c. 62.

(c) S.I. 1971/769 (1971 II, p. 2210).

(d) The relevant amending instruments are S.I. 1972/1466, 1974/1764 (1972 III, p. 4374; 1974 III, p. 6284).

- (3) in Schedule 2, Part II (which relates to expenses of medical evidence) in paragraph 1(a), for the figures “£7·35” and “£17·25” there shall be substituted the figures “£17·40” and “£34·80” respectively and in paragraph 2, for the figure “£15·75” there shall be substituted the figure “£34·80”.

Dated 17th July 1975.

*Elwyn-Jones, C.*

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#### EXPLANATORY NOTE

*(This Note is not part of the Rules.)*

These Rules amend the Pensions Appeal Tribunals (England and Wales) Rules 1971:—

- (1) by increasing the fees and expenses which the tribunal may allow to medical specialists, practitioners and other technical experts and the expenses which may be allowed to appellants in respect of medical witnesses and reports, and
- (2) by providing that appellants and others who attend tribunal hearings may be paid the higher rate of night subsistence for each night spent within 5 miles of Charing Cross (instead of 4 miles).

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