

SCHEDULE 10

APPEALS

PART I

1. In this Schedule—

- (a) “appeal” means an appeal under regulation 36;
“appellant” means a person who has brought an appeal;
“appointed person” means a person appointed in accordance with paragraph 2;
“appropriate person” has the same meaning as it has in regulation 36;
“hearing” means a hearing to which Part II of this Schedule applies;
“the parties” means the appellant and the Ministers;
- (b) a reference to “government department” includes, in the case of an appeal relating to a decision of the Ministers in or as regards Scotland, a reference to the Scottish Administration or any part thereof; and
- (c) a reference to a numbered sub-paragraph is a reference to the sub-paragraph so numbered in the paragraph in which that reference occurs.

2. The appropriate person shall direct that an appeal shall be determined by a person appointed by him for the purpose and the appropriate person shall notify the parties in writing of the name of the appointed person.

3. Before the determination of an appeal, the appointed person shall ask the parties whether they wish to appear and be heard on the appeal and—

- (a) the appeal may be determined without a hearing if the parties express a wish not to be heard as aforesaid;
- (b) the appointed person shall, if either of the parties expresses a wish to appear and be heard, afford both of them an opportunity of so doing, in which case the provisions of Part II of this Schedule shall apply.

4. An appointed person may give such directions as he thinks appropriate to give effect to his determination.

5. The appropriate person may pay to an appointed person such remuneration and allowances as the appropriate person may, with the approval of the Minister for the Civil Service, determine.