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STATUTORY INSTRUMENTS

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**2015 No. 25**

**The Ministry of Defence Police (Conduct etc.) Regulations 2015**

**PART 5**

**Fast Track Procedure for Special Cases**

**Remission of case**

**47.**—(1) Subject to paragraphs (4) and (5), at any time after the case has been referred to a special case hearing but before the beginning of that hearing the relevant authority may direct that the case be dealt with under Part 4 if it considers that the special conditions are no longer satisfied.

(2) Where a direction is made under paragraph (1), the relevant authority must—

(a) proceed in accordance with Part 4;

(b) notify the officer concerned in writing before the end of 3 working days beginning with the first working day after that direction is made.

(3) Where the relevant authority is to proceed in accordance with Part 4, regulation 23 shall be read as if for paragraph (1) there were substituted—

“(1) Subject to paragraph (7), the relevant authority must, as soon as practicable, determine whether the officer concerned has a case to answer in respect of misconduct or gross misconduct or whether there is no case to answer.”

(4) In any case where a statement under regulation 45(1)(b) has been made by the Commission, the relevant authority must consult with the Commission before making a direction under paragraph (1).

(5) In any case where a statement under regulation 45(1)(b) has been made by the Ombudsman, the relevant authority must consult with the Ombudsman before making a direction under paragraph (1).