

SCHEDULE 3

(introduced by section 56(3))

POLICE APPEALS TRIBUNALS

Constitution and membership

- 1 (1) A police appeals tribunal is to consist of 3 members, one of whom is to be appointed to chair the tribunal.
- (2) The Lord President of the Court of Session must—
 - (a) establish and maintain a panel of persons who may be appointed as members of a police appeals tribunal, and
 - (b) from that panel, appoint the members (including the chairing member) of the tribunal.
- (3) Every member of the panel must be, and have been for the period of 5 years immediately prior to the member's appointment, either—
 - (a) a solicitor holding a practising certificate in accordance with Part 2 of the Solicitors (Scotland) Act 1980 (c.46), or
 - (b) a member of the Faculty of Advocates practising as an advocate in Scotland.

Member remuneration, allowances and expenses

- 2 The Authority is to pay to the members of a police appeals tribunal such remuneration, allowances and expenses as the Scottish Ministers may determine.

Expenses of proceedings

- 3 (1) The appellant is liable for the expenses incurred by the appellant in making an appeal.
- (2) But the police appeals tribunal may direct that some or all of the appellant's expenses must be paid by the Authority.
- (3) The other expenses of the appeal (including the expenses of the respondent) must be paid by the Authority.

Police appeals tribunal rules

- 4 The Scottish Ministers may make rules about the procedure on appeals to a police appeals tribunal including, in particular, provision about—
 - (a) the notices required to start an appeal,
 - (b) the identity of the respondent, and
 - (c) holding hearings in private.