

Changes to legislation: Police and Fire Reform (Scotland) Act 2012, SCHEDULE 3 is up to date with all changes known to be in force on or before 10 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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.

Commencement Information

I1 Sch. 3 para. 1 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, Sch.

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.

Commencement Information

I2 Sch. 3 para. 2 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, Sch.

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.

Commencement Information

I3 Sch. 3 para. 3 in force at 1.10.2012 by S.S.I. 2012/253, art. 2, Sch.

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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.

Commencement Information

I4 [Sch. 3 para. 4](#) in force at 1.10.2012 by [S.S.I. 2012/253](#), [art. 2](#), [Sch.](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)