

## SCHEDULES

### SCHEDULE 2

Article 4.

#### COMMISSIONERS' PROCEDURE

##### *Rules*

1.—(1) The Secretary of State may make rules prescribing the procedure to be followed in relation to proceedings of the Commissioners under this Order, and in particular rules may—

- (a) make provision for the matters set out in this Schedule;
- (b) confer functions on the chairman.

(2) Rules under this Schedule shall be subject to annulment in pursuance of a resolution of either House of Parliament in like manner as a statutory instrument and section 5 of the Statutory Instruments Act 1946(1) shall apply accordingly.

##### *Allocation of cases*

2. The rules may provide—

- (a) for the allocation of proceedings to panels of Commissioners;
- (b) for the taking of specified decisions by a single Commissioner.

##### *Evidence and information*

3. The rules may make provision about evidence and information, including provision—

- (a) requiring Commissioners to send to the Secretary of State copies of such documents as the rules may specify;
- (b) requiring the Secretary of State to provide specified information to Commissioners;
- (c) for the giving of evidence by or on behalf of the Secretary of State, the Police Service of Northern Ireland and others;
- (d) about the way in which information or evidence is to be given;
- (e) for evidence or information about a prisoner not to be disclosed to anyone other than a Commissioner if the Secretary of State certifies that the evidence or information satisfies conditions specified in the rules;
- (f) preventing a person from calling any witness without leave of Commissioners.

##### *Exclusion of persons from proceedings*

4. The rules may provide for proceedings to be held in private except where Commissioners direct otherwise.

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(1) 1946 c. 36.

**Status:** This is the original version (as it was originally made).

5. The rules may prevent a person who is serving a sentence of imprisonment or detention from representing or acting on behalf of a prisoner.

6.—(1) The rules may permit Commissioners to hold proceedings in specified circumstances in the absence of any person, including the prisoner concerned and any representative appointed by him.

(2) Where a prisoner and any representative appointed by him are excluded from proceedings by virtue of sub-paragraph (1), the Attorney General may appoint a person to represent the prisoner's interests in those proceedings.

(3) A person appointed under sub-paragraph (2) shall not be responsible to the prisoner whose interests he represents.