

SCHEDULES

SCHEDULE 4

PROCEEDINGS BEFORE PROFESSIONAL CONDUCT, HEALTH AND PRELIMINARY PROCEEDINGS COMMITTEES

Legal assessors

- 7 (1) For the purpose of advising the Professional Conduct Committee, the Health Committee and the Preliminary Proceedings Committee on questions of law arising in proceedings before them there shall in all such proceedings be an assessor to the Committee who shall be appointed by the General Council and shall be a barrister, advocate or solicitor of not less than ten years' standing.
- (2) An assessor may be appointed under this paragraph either generally or for any particular proceedings or class of proceedings.
- (3) The Lord Chancellor or, in relation to proceedings in Scotland, the Lord Advocate may make rules as to the functions of assessors appointed under this paragraph.
- (4) Rules made under this paragraph in relation to proceedings before the Professional Conduct Committee and the Health Committee may in particular contain such provisions as appear to the Lord Chancellor or the Lord Advocate expedient for securing—
- (a) that where an assessor advises the Committee on any question of law as to evidence, procedure or any other matter specified in the rules, he shall do so in the presence of every party, or person representing a party, to the proceedings who appears at the proceedings or, if the advice is tendered after the Committee have begun to deliberate as to their findings, that every such party or person shall be informed what advice the assessor has tendered,
- (b) that every such party or person shall be informed if in any case the Committee do not accept the advice of the assessor on any such question, and such incidental and supplementary provisions as appear to the Lord Chancellor or the Lord Advocate expedient.
- (5) The General Council may pay to persons appointed to act as assessors such remuneration as the Council may determine.
- (6) The power to make rules under this paragraph shall be exercisable by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament