

SCHEDULES

SCHEDULE 6

Section 41.

THE CONVEYANCING APPEAL TRIBUNALS

Powers of Tribunals

- 1 (1) A Tribunal hearing any appeal shall have power to—
- (a) investigate the facts on which the decision appealed against was based;
 - (b) order the production of documents which it considers are relevant to the appeal;
 - (c) summon witnesses;
 - (d) consider fresh evidence, including evidence which could have been produced to the Board before it made the decision in question;
 - (e) admit any evidence which it considers is relevant to the hearing even though it would not be admissible in proceedings before a court.
- (2) On determining any appeal, a Tribunal may—
- (a) confirm, reverse or vary any decision of the Board which is the subject of the appeal; or
 - (b) remit the case to the Board with directions as to the action to be taken by the Board.

Procedure of Tribunals

- 2 (1) The Lord Chancellor may by regulations make provision with respect to the making of appeals to, and the procedure to be followed by, Tribunals.
- (2) The regulations may, in particular, make provision—
- (a) as to the period within which appeals must be brought;
 - (b) for the holding of hearings in private in prescribed circumstances;
 - (c) as to the persons who may appear on behalf of the parties;
 - (d) for enabling hearings to be conducted even though a member of the Tribunal, other than the Chairman, is absent;
 - (e) as to the disclosure by the appellant, and others, of documents and the inspection of documents;
 - (f) requiring persons to attend the proceedings and give evidence;
 - (g) as to the payment of expenses incurred by persons compelled to attend proceedings by regulations made by virtue of paragraph (f);
 - (h) authorising the administration of oaths to witnesses;
 - (i) as to the withdrawal of appeals;
 - (j) as to costs and expenses incurred by any party to the proceedings; and
 - (k) authorising preliminary or incidental matters in relation to an appeal to be dealt with by the Chairman of the Tribunal hearing that appeal.

Status: This is the original version (as it was originally enacted).

Staff

- 3 (1) The Lord Chancellor may, with the consent of the Treasury, make such provision as he thinks fit for—
- (a) the allocation of staff for any Tribunal;
 - (b) the remuneration of members of Tribunals and the reimbursement of their expenses;
 - (c) defraying any reasonable expenses incurred by any Tribunal.
- (2) Any sums payable under any provision made by the Lord Chancellor under subparagraph (1) shall be paid out of money provided by Parliament.