
STATUTORY INSTRUMENTS

2009 No. 3070

**The Ministry of Defence Police
Appeals Tribunals Regulations 2009**

Interpretation

3.—(1) In these Regulations—

“the 1967 Act” means the Police (Scotland) Act 1967(1);

“appellant” means a police officer who has given a notice of appeal in accordance with regulation 6 or 7;

“chair” for the purposes of regulations 6 to 11 means the chair appointed under regulation 5(3) or 5(5) (as the case may be); and for the purposes of regulations 12 to 22 means the chair of the tribunal;

“Conduct Regulations” means the Ministry of Defence Police (Conduct) Regulations 2009(2);

“original hearing” means the misconduct meeting, misconduct hearing or special case hearing under the Conduct Regulations, at or following which the relevant decision was made;

“panel” includes a person who conducted a special case hearing under the Conduct Regulations;

“relevant decision” means the finding, disciplinary action or outcome which may be appealed or is being appealed to a tribunal in accordance with regulation 4, and related expressions shall be construed accordingly;

“head of HR” means the head of Human Resources in the Agency or, if there ceases to be such an office, the person who in the opinion of the Ministry of Defence Police Committee for the time being exercises comparable functions to those exercisable by the holder of that office;

“respondent” has the meaning given by regulation 8;

“specified appeal” means an appeal where the relevant decision arose from a complaint or conduct matter to which—

(a) in relation to England and Wales, paragraph 17, 18 or 19 of Schedule 3 to the 2002 Act (investigations)(3), or

(b) in relation to Northern Ireland, section 54, 56 or 57 of the 1998 Act,

applies; and

“tribunal”, in relation to a case or appeal, means the police appeals tribunal appointed to determine the case or appeal;

(2) In these Regulations, any expression which is also used in the Conduct Regulations shall have the same meaning as in those Regulations.

(1) 1967 c.77.

(2) S.I. 2009/3069.

(3) Paragraph 17 was amended by paragraph 11(3) of Schedule 2 to and paragraph 15 of Schedule 12 to the Serious Organised Crime and Police Act 2005, paragraph 89 of Schedule 1 to the Police and Justice Act 2006. Paragraph 18 was amended by paragraph 16 of Schedule 12 to the Serious Organised Crime and Police Act 2005. Paragraph 19 was amended by paragraph 17 of Schedule 12 to the Serious Organised Crime and Police Act 2005.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) Where any written notice or document is to be given or supplied to the appellant under these Regulations, it shall be—

- (a) given to the appellant in person; or
- (b) left with some person at, or sent by recorded delivery to, the appellant's last known address.