

SCHEDULE 12

APPEALS

PART 1

General

1. In this Schedule—
 - “appeal” means an appeal under regulation 37;
 - “appellant” means a person who has brought an appeal;
 - “appointed person” means a person appointed in accordance with paragraph 2;
 - “hearing” means a hearing to which Part 2 of this Schedule applies; and
 - “the parties” means the appellant and the competent authority.
2. The Secretary of State must direct that an appeal be determined by a person whom the Secretary of State appoints for the purpose and the Secretary of State must notify the parties in writing of the name of the appointed person.
3. Before the determination of an appeal, the appointed person must ask the parties whether they wish to appear and be heard on the appeal and—
 - (a) the appeal may be determined without a hearing of the parties if both of them express a wish not to be heard; or
 - (b) the appointed person must, if either party expresses a wish to appear and be heard, afford both of them an opportunity of so doing, in which case the provisions of Part 2 of this Schedule apply.
4. An appointed person may give such directions as the appointed person considers are appropriate to give effect to the determination.
5. The Secretary of State may pay to an appointed person such remuneration and allowances as the Secretary of State may, with the approval of the Minister for the Civil Service, determine.