STATUTORY INSTRUMENTS

1975 No. 519 (S. 68)

PENSIONS

The Pensions Appeal Tribunals (Scotland) (Amendment) Rules 1975

Made - - - -	*25th March* 1975
Laid before Parliament	*7th April* 1975
Coming into Operation	*29th April* 1975

The Lord President of the Court of Session, in exercise of the powers conferred on him by paragraph 5 of the Schedule to, as read along with section 13 of the Pensions Appeal Tribunals Act 1943**(a)**, and after consultation with the Council on Tribunals, in accordance with section 10 of the Tribunals and Inquiries Act 1971**(b)**, hereby makes the following Rules:—

1. These rules may be cited as the Pensions Appeal Tribunals (Scotland) (Amendment) Rules 1975 and shall come into operation on 29th April 1975.

2. The Pensions Appeal Tribunals (Scotland) Rules 1971**(c)** as amended **(d)** shall be further amended as follows:—

(1) Paragraph (3) of Rule 26 shall be deleted and there shall be substituted the following:—

"(3) Where the appeal is successful, and where the appeal was not successful but the chairman certifies that there were reasonable grounds for the appeal, there may be allowed to the appellant or to any such person as is referred to in paragraph (1)(*b*), (*c*) or (*e*) in addition to the allowances mentioned in that paragraph, such sum as compensation for loss of time as the chairman thinks reasonable, not exceeding the sum of £6·70 per day or £3·35 per half day".

(2) Part I of Schedule 2 shall be deleted and there shall be substituted the following:—

"PART I

SUBSISTENCE ALLOWANCES TO APPELLANTS, ETC.

1. The maximum allowance payable under paragraph (1) of Rule 26 to an appellant or other person absent from home for the purpose of attending the tribunal or undergoing a medical examination shall be—

(a) 1943 c. 39. **(b)** 1971 c. 62.
(c) S.I. 1971/2124 (1971 III, p. 6250)
(d) S.I. 1972/1783, 1973/1714, 1974/1968 (1972 III p. 5153; 1973 III, p. 5218; 1974 III, p. 6781).

(*a*) for a period of two and a half hours or more but not less than five hours consecutively, £0·28, or for a period of five hours or more but less than ten hours consecutively, £0·56, or for a period of ten hours or more consecutively, £1·30;

(*b*) for absence overnight, for each period of twenty-four hours or part thereof, £6·05 instead of any sum payable under paragraph (*a*).

2. When the appellant or other person is absent from home for more than twenty-four hours he shall be entitled to a further allowance calculated in accordance with the foregoing provisions for periods of absence during each successive period of twenty-four hours."

G. C. Emslie,

Edinburgh,
25th March 1975.

EXPLANATORY NOTE

(*This Note is not part of the Rules.*)

These Rules amend the Pensions Appeal Tribunals (Scotland) Rules 1971 by increasing the rates of expenses and subsistence allowances payable to appellants and others.

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