Defence Honours and Awards Appeals Tribunal Amendment Procedural Rules 2022

I, Stephen Skehill, Chair of the Defence Honours and Awards Appeals Tribunal, make the following procedural rules.

Dated   12 December 2022

Stephen Skehill
Chair

Contents

1 Name

This instrument is the *Defence Honours and Awards Appeals Tribunal Amendment Procedural Rules 2022*.

2 Commencement

(1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	**Column 2**	**Column 3**
Provisions	**Commencement**	**Date/Details**
1. *The whole of this instrument.*	*The day after this instrument is registered.*	

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

(2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under section 110XH of the *Defence Act 1903*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Defence Honours and Awards Appeals Tribunal Procedural Rules 2021

1 Rule 4 (definition of *approved form*)

Omit "4", substitute "6".

2 Rule 4 (definition of *audio link*)

Repeal the definition, substitute:

> *audio link* means facilities (for example, telephone facilities) that enable audio communication between persons in different places.

3 Rule 4 (definition of *audiovisual link*)

Repeal the definition, insert:

> *video link* means facilities (for example, closed-circuit television facilities) that enable audio and visual communication between persons in different places.

4 Subrule 9(1)

After the word "Secretary", insert ", or an office holder designated by the Secretary in writing from time to time and notified to the Tribunal (*designated office holder*)".

5 Subrules 9(2), 9(3), 9(5) and 9(6)

After the word "Secretary", wherever occurring, insert "or designated office holder".

6 Subrule 10(1)

Omit "7", substitute "9".

7 Paragraphs 11(1)(a) and 11(1)(b)

Omit "7", substitute "9".

8 Subrule 11(2)

After the word "Secretary", insert "or designated office holder".

9 Paragraph 15(1)(c)

Omit "audiovisual", substitute "video".

10 Subrule 18(4)

Repeal the subrule, substitute:

> (4) The Chair may decide not to publish the name of an applicant or of a person to whom a recommendation relates or any other information that is likely to identify such a person, or to redact from the published version other personal information or sensitive information that the Chair considers it appropriate to withhold from publication.

11 After Subrule 18(4)

Insert:

(5) The published version shall be published on the website 20 working days after it is provided to the parties, or at a later date as determined by the Chair as necessary to allow consideration of issues referred to in subrule (4).

12 Paragraph 23(1)(b)

Omit "audiovisual 34", substitute "video link".

13 Rule 27

Repeal the rule, substitute:

27 Oath or affirmation for witnesses

The Tribunal may require a person who gives evidence before the Tribunal to take an oath or make an affirmation.

14 After Rule 30

Insert:

31 Public Hearings

The Tribunal may, if it considers it appropriate, arrange for a hearing, or a part of a hearing, that is to be held in public to be broadcast by live-streaming or other technology in order to allow members of the public not in attendance who wish to do so to observe proceedings at that hearing or that part of a hearing.