
STATUTORY INSTRUMENTS

2006 No. 1944

The Recovery of Health Services Charges (Northern Ireland) Order 2006

Review and appeal

Appeal tribunals

10.—(1) The Department shall refer to an appeal tribunal an appeal against—

- (a) a certificate, or
- (b) a waiver decision.

(2) In determining an appeal against a certificate, the tribunal shall take into account any decision of a court relating to the same, or any similar, issue arising in connection with the injury in question.

(3) On an appeal against a certificate, the tribunal may—

- (a) confirm the amount specified in the certificate,
- (b) specify any variations which are to be made on the issue of a fresh certificate under paragraph (4), or
- (c) declare that the certificate is to be revoked.

(4) When the Department has received the decision of the tribunal on an appeal against a certificate, the Department shall in accordance with that decision—

- (a) confirm the certificate,
- (b) issue a fresh certificate, or
- (c) revoke the certificate.

(5) On an appeal against a waiver decision, the tribunal may—

- (a) confirm the decision, or
- (b) waive the requirement in question.

(6) Regulations under Article 9 may (among other things) provide for the non-disclosure of medical advice or medical evidence given or submitted following a reference under paragraph (1).

(7) Regulations may apply any provision contained in the 1998 Order in relation to appeals under this Article to an appeal tribunal, but subject to such modifications as may be prescribed by the regulations.

(8) In this Article and Article 11 “appeal tribunal” means an appeal tribunal constituted under Chapter 1 of Part II of the 1998 Order.

Commencement Information

- II** [Art. 10](#) wholly in force at 29.1.2007: art. 10 not in force at Royal Assent see [art. 1\(2\)](#); [art. 10](#) in force for certain purposes at 4.12.2006 and wholly in force at 29.1.2007 for all other purposes by [S.R. 2006/484](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the The Recovery of Health Services Charges (Northern Ireland) Order 2006, Section 10.