

## SCHEDULES

### SCHEDULE 22

#### PROCEDURE FOR APPEALS UNDER SECTION 173

##### *Application for permission to bring appeal*

- 1 (1) An application for permission to bring an appeal may be made only by sending a notice to the Commission requesting the permission.
- (2) Only a person who will be entitled under section 173 to bring the appeal if permission is granted may apply for permission.
- (3) Where GEMA publishes a decision to which section 173 applies, an application for permission is not to be made after the end of fifteen working days following the earliest day on which the decision was published.
- (4) An application for permission must be accompanied by all such information as may be required by appeal rules.
- (5) Those rules may require information contained in the application to be verified by a statement of truth.
- (6) The applicant must send GEMA—
  - (a) a copy of his application; and
  - (b) such other information as may be required by appeal rules.
- (7) The applicant must also send a copy of that application and of that information to—
  - (a) such persons (apart from GEMA) as appear to him to be affected by the decision appealed against; and
  - (b) such other persons as GEMA may require him to keep informed about his appeal.
- (8) The Commission's decision on an application for permission must be made before the end of ten working days following the day on which it received it.
- (9) The Commission's decision whether to grant permission is to be taken by an authorised member of the Commission.
- (10) A decision to grant permission may be made subject to conditions.
- (11) Those conditions may include—
  - (a) conditions which limit the matters that are to be considered on the appeal in question;
  - (b) conditions for the purpose of expediting the determination of the appeal; and
  - (c) conditions requiring that appeal to be considered together with other appeals (including appeals relating to different matters or decisions and appeals brought by different persons).

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*Status: This is the original version (as it was originally enacted).*

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- (12) Where a decision is made to grant or to refuse an application for permission, the Commission must notify the decision—
- (a) to the applicant;
  - (b) to GEMA; and
  - (c) to each person who was sent a copy of the application in accordance with sub-paragraph (7).