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## SCHEDULES

### SCHEDULE 10

#### APPEALS IN CONNECTION WITH SPACEFLIGHT ACTIVITIES

##### PART 4

##### PROCEDURE

###### *Representations in relation to an application for permission to appeal*

- 12 (1) This paragraph applies where the relevant person wishes to make representations to a panel in relation to an application under paragraph 5 for permission to appeal against a decision.
- (2) The relevant person must make representations in writing within the prescribed period.
- (3) The period prescribed for the purposes of sub-paragraph (2) must be one that ends after the end of the period prescribed for the purposes of paragraph 5(3).
- (4) The relevant person must send a copy of the representations to the person who made the application for permission to appeal.
- (5) In this paragraph “the relevant person” means the person who made the decision which is the subject of the appeal.

###### **Commencement Information**

- I1** Sch. 10 para. 12(1) in force at 29.7.2021 by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)
- I2** Sch. 10 para. 12(2)(3) in force at 26.11.2018 for specified purposes by S.I. 2018/1224, reg. 2(eee)(vi)
- I3** Sch. 10 para. 12(2)(3) in force at 29.7.2021 in so far as not already in force by S.I. 2021/817, reg. 2, Sch. para. 114 (with reg. 3)

###### *Intervention in an appeal*

- 13 (1) Where an application is made under paragraph 5 for permission to appeal to a panel against a decision, a person may make an application for permission to intervene in the appeal to the panel.
- (2) An application for permission to intervene may be made before the end of the prescribed period.
- (3) An application for permission to intervene may be made after the end of that period only with the leave of the panel.
- (4) The applicant must send a copy of the application—

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- (a) to the appellant, and
- (b) to the person who made the decision which is the subject of the appeal.

**Commencement Information**

- I4** Sch. 10 para. 13(1)(3)(4) in force at 29.7.2021 by S.I. 2021/817, reg. 2, **Sch. para. 114** (with reg. 3)
- I5** Sch. 10 para. 13(2) in force at 26.11.2018 for specified purposes by S.I. 2018/1224, **reg. 2(eee)(vii)**
- I6** Sch. 10 para. 13(2) in force at 29.7.2021 in so far as not already in force by S.I. 2021/817, reg. 2, **Sch. para. 114** (with reg. 3)

*Determination of application for permission to intervene*

- 14 (1) A panel may grant permission to intervene in an appeal only if it is satisfied—
- (a) that the applicant has a sufficient interest in the decision which is the subject of the appeal, and
  - (b) that allowing the applicant to intervene is necessary or desirable for the proper resolution of the appeal.

**Commencement Information**

- I7** Sch. 10 para. 14 in force at 29.7.2021 by S.I. 2021/817, reg. 2, **Sch. para. 114** (with reg. 3)

*Procedure regulations*

- 15 (1) Regulations may make provision regulating the conduct and disposal of appeals.
- (2) Regulations may make provision supplementing the provisions of this Schedule in relation to any application or requirement for which this Schedule provides.
- (3) Regulations may in particular make provision—
- (a) about the manner in which a panel makes its decisions;
  - (b) about the form of an application for permission to appeal under this Schedule and the information to be provided with an application;
  - (c) about the conditions subject to which permission to appeal may be granted;
  - (d) requiring information to be verified by a statement of truth;
  - (e) about the time limits for taking any step in an appeal before a panel;
  - (f) about intervention in an appeal;
  - (g) about the matters to be taken into account (or disregarded) by a panel when considering an appeal;
  - (h) about the production of documents or information to a panel;
  - (i) about the holding of oral hearings;
  - (j) for dealing with matters without a hearing;
  - (k) about evidence (including the taking of evidence on oath and the administration of oaths);
  - (l) about the circumstances in which an appeal may be dismissed by a panel;
  - (m) about withdrawal—
    - (i) of an application for permission to appeal under this Schedule or, after permission has been granted, of an appeal,

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- (ii) of an application for permission to intervene or, after permission has been granted, of an intervention, or
  - (iii) of any other application in connection with an appeal;
  - (n) about the consequences of non-payment of a fee.
- (4) Regulations under this paragraph—
- (a) may make provision to enable a panel to require the reimbursement of any fee required to be paid by a party to an application or appeal under this Schedule by another party to that application or appeal, but
  - (b) may not confer on a panel any other power (whether by order or otherwise) to require a party to an application or appeal under this Schedule to make payments to another party to the application or appeal in respect of costs.
- (5) Sub-paragraphs (2), (3) and (4)(a) do not limit sub-paragraph (1).

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**Commencement Information**

**18** [Sch. 10 para. 15](#) in force at 26.11.2018 by [S.I. 2018/1224](#), [reg. 2\(ee\)\(viii\)](#)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2021/817, Sch. by [S.I. 2021/874 reg. 2](#)