
STATUTORY INSTRUMENTS

1992 No. 664

**The National Health Service (Service
Committees and Tribunal) Regulations 1992**

PART III

INQUIRIES BY, AND APPEALS FROM, THE TRIBUNAL

Inquiry as to representations

26.—(1) Subject to paragraph (2), the inquiry shall be held by way of an oral hearing, and Schedule 9 shall apply with respect to that hearing.

(2) Where the grounds on which representations are based are solely that the respondent has been convicted of a criminal offence and the respondent states in writing that—

- (a) he admits the conviction; and
- (b) he does not want an oral hearing,

the Tribunal may decide the case on such documentary evidence as may be submitted to it.

(3) At the conclusion of the inquiry the Tribunal shall, as soon as practicable, issue a decision in writing, signed by the chairman, containing—

- (a) its findings of fact;
- (b) its conclusions;
- (c) any directions it decides to give under section 46(2) of the Act;
- (d) a statement of the reasons for its decision; and
- (e) any order it decides to make as to costs.

(4) The Tribunal shall send a copy of its decision to the respondent, the complainant and the Secretary of State; and the Secretary of State shall send a copy of the decision to any FHSA which appears to him to be concerned.

(5) Where the decision contains a direction under section 46(2) of the Act the Tribunal shall include with the decision a notice to the respondent of his right of appeal to the Secretary of State under section 46(3) of the Act.