
STATUTORY INSTRUMENTS

1992 No. 664

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

PART III

INQUIRIES BY, AND APPEALS FROM, THE TRIBUNAL

Applications to the Secretary of State

30.—(1) An application made to the Secretary of State shall be sent to him.

(2) The provisions of paragraphs (2) to (4) of regulation 29 shall apply to applications made to the Secretary of State as they apply to applications made to the Tribunal, but as though any reference in them to the Tribunal were a reference to the Secretary of State.

(3) Where an inquiry is to be held it shall be by way of an oral hearing and the provisions of Schedule 9 shall apply with regard to that hearing.

(4) The Secretary of State shall appoint—

- (a) a person to hold an inquiry and report to him on the application; and
- (b) in accordance with paragraph (5), a person to assist the person holding the inquiry.

(5) The provisions of regulation 27(3) shall apply to appointments under paragraph (4)(b) as they apply to appointments under regulation 27(2), but as though the references in them to the appellant were references to the applicant.

(6) The Secretary of State shall—

- (a) consider the report of the person holding the inquiry;
- (b) make a decision on the application; and
- (c) give notice in writing of that decision to the applicant, the respondent, the Tribunal and any other FHSAs which appear to him to be concerned.

(7) The notice given under paragraph (6)(c) shall include—

- (a) a statement of the Secretary of State's reasons for his decision; and
- (b) where the person holding the inquiry makes an order as to costs, details of that order.