

SCHEDULE 11

Regulation 67

Procedure of appeals

1.—(1) Where a person wishes to appeal to an appeal body under regulation 66, he shall do so by notice in writing served on that appeal body.

(2) The notice mentioned in paragraph (1) shall be accompanied by—

- (a) a statement of the grounds of appeal;
- (b) where the appeal relates to refusal to grant approval under regulation 41 or 47, a copy of the appellant's application and any supporting documents;
- (c) where the appeal relates to refusal to grant an extension of approval under regulation 48, a copy of the appellant's application and any supporting documents;
- (d) where the appeal relates to withdrawal of approval under regulation 44, a copy of the notification of the decision and any supporting documents;
- (e) where the appeal relates to suspension or cancellation of approval under regulation 50, a copy of the notification of the decision and any supporting documents;
- (f) a copy of any correspondence relevant to the appeal;
- (g) a copy of any other document relevant to the appeal; and
- (h) a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations.

(3) The appellant shall serve a copy of his notice of appeal on the appropriate authority together with copies of the documents mentioned in sub-paragraph (2).

2.—(1) Subject to sub-paragraph (2), notice of appeal shall be given before the expiry of the period of two months beginning with the date of the decision that is the subject of the appeal.

(2) The appeal body may for good reason at any time allow notice of an appeal to be given after the expiry of the period mentioned in sub-paragraph (1).

3. Where under regulation 67(2) the appeal is by way of a hearing, the person hearing the appeal shall, unless he has been appointed to determine an appeal under regulation 67(1)(a), make a written report to the appeal body that appointed him under regulation 67(1)(b) which shall include his conclusions and recommendations or his reasons for not making any recommendations.

4.—(1) The appeal body or other person determining an appeal shall notify the appellant in writing of its or his decision and of the reasons for that decision.

(2) If the appeal body determines an appeal after a hearing under regulation 67(2), he or they shall provide the appellant with a copy of any report made to it under paragraph 3.

(3) The appeal body or other person determining an appeal shall, at the same time as notifying the appellant of it or his decision, send the appropriate authority a copy of any document sent to the appellant under this paragraph.