
WELSH STATUTORY INSTRUMENTS

2007 No. 226

Tax Credits (Approval of Child Care Providers) (Wales) Scheme 2007

Appeals

11.—(1) Where the approval body refuses an application for the grant of an approval or withdraws an approval previously granted, an appeal can be made to the Tribunal against that decision.

(2) The provisions of the Tribunal Regulations apply to an appeal under paragraph (1) as they apply to an appeal under section 79M of the 1989 Act and as if those provisions were set out in this Scheme, but with the modifications referred to in paragraph (3).

(3) Schedule 2 to the Tribunal Regulations applies as if—

- (a) any reference to an appeal under the 1989 Act were a reference to an appeal under article 11(1) of this Scheme;
- (b) any reference to any registration were a reference to an approval given under this Scheme;
- (c) any reference to the cancellation of registration were a reference to the withdrawal of an approval under this Scheme;
- (d) any reference to the registration body or the respondent were a reference to the approval body; and
- (e) paragraph 3(3)(c) of that Schedule were modified as specified in paragraph (4) of this article and any reference to the said paragraph 3 were a reference to that paragraph as so modified.

(4) The said paragraph 3(3)(c) applies as if—

- (a) the decision referred to in sub-paragraph (ii) of that paragraph were to the decision to refuse to grant or to withdraw an approval under this Scheme; and
- (b) sub-paragraph (iii) of that paragraph did not apply.

(5) On an appeal, the Tribunal may—

- (a) confirm the refusal to grant the approval or the withdrawal of the approval;
- (b) direct that the said refusal or withdrawal does not have, or ceases to have, effect; or
- (c) direct the approval body to reconsider any decision which is the subject of the appeal.