***Changes to legislation:*** *Health And Social Services And Social Security Adjudications Act 1983, Cross Heading: Right to make representations is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

# SCHEDULES

## SCHEDULE 4

## REGISTERED HOMES

### [F1 PART I

### RESIDENTIAL CARE HOMES

**Textual Amendments**

**F1** Sch. 4 Pt. I (paras. 1–23), Pt. II paras. 24–37, 44, Pt. III (paras. 49–56), Sch. 9 paras. 4, 6, 9, 12–14 and 26 repealed (E.W.) by Registered Homes Act 1984 (c. 23, SIF 113:3), s. 57, **Sch. 3**

*Right to make representations*

15 (1) A notice under paragraph 14 above shall state that within 14 days of service of the notice any person on whom it is served may in writing require the registration authority to give him an opportunity to make representations to them concerning the matter.

(2) Where a notice has been served under paragraph 14 above, the registration authority shall not determine the matter until either—

(a) any person on whom the notice was served has made representations concerning the matter; or

(b) the period during which any such person could have required them to give him an opportunity to make representations has elapsed without their being required to give such an opportunity; or

(c) the conditions specified in subparagraph (3) below are satisfied.

(3) The conditions mentioned in subparagraph (2) above are—

(a) that a person on whom the notice was served has required the registration authority to give him an opportunity to make representations to them concerning the matter;

(b) that the registration authority have allowed him a reasonable period to make his representations; and

(c) that he has failed to make them within that period.

(4) Representations may be made, at the option of the person making them, either in writing or orally.

(5) If he informs the registration authority that he desires to make oral representations, they shall give him an opportunity of appearing before and of being heard by a committee or subcommittee of the registration authority.

***Changes to legislation:*** *Health And Social Services And Social Security Adjudications Act 1983, Cross Heading: Right to make representations is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

16 (1) If the registration authority decide to adopt the proposal, they shall serve notice in writing of their decision on any person on whom they were required to serve notice of their proposal.

(2) A notice under this paragraph shall be accompanied by a note explaining the right of appeal conferred by paragraph 17 below.

(3) A decision of a registration authority, other than a decision to grant an application for registration subject only to such conditions as are mentioned in paragraph 14(2) above or to refuse an application for registration, shall not take effect—

(a) if no appeal is brought, until the expiration of the period of 28 days referred to in paragraph 17(3) below; and

(b) if an appeal is brought, until it is determined or abandoned.**]**

**Changes to legislation:**
Health And Social Services And Social Security Adjudications Act 1983, Cross Heading: Right to make representations is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.
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**Commencement Orders yet to be applied to the Health And Social Services And Social Security Adjudications Act 1983**
Commencement Orders bringing legislation that affects this Act into force:

- S.I. 2004/288 art. 2-6 commences (2003 c. 43)
- S.I. 2004/480 art. 2-5 commences (2003 c. 43)
- S.I. 2004/1009 art. 2 commences (2003 c. 43)
- S.I. 2004/1019 art. 2 commences (2003 c. 43)
- S.I. 2005/2897 art. 2 commences (2002 c. 38)
- S.I. 2005/2925 art. 24-11 commences (2003 c. 43)
- S.I. 2006/345 art. 2-7 commences (2003 c. 43)
- S.I. 2009/3074 art. 23 commences (2008 c. 4)
- S.I. 2011/849 art. 2 commences (2010 nawm 2)
- S.S.I. 2009/267 art. 2 commences (2007 asp 4)