
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 299

**The Road Traffic (Health Services Charges)
(Appeals) Regulations (Northern Ireland) 2001**

Part VI

Decisions of Appeal Tribunals and Related Matters

Decisions of appeal tribunals

14.—(1) Every decision of an appeal tribunal shall be recorded in summary by the chairman or, in the case of an appeal tribunal which has only one member, by that member.

(2) The record of the decision specified in paragraph (1) shall be in such written form as shall have been approved by the President and shall be signed by the chairman, or in the case of an appeal tribunal which has only one member, by that member.

(3) As soon as may be practicable after an appeal has been decided by an appeal tribunal, a copy of the record of the decision prepared in accordance with paragraphs (1) and (2) shall be sent or given to every party to the proceedings who shall also be informed of—

(a) his right under paragraph (4); and

(b) the conditions governing appeals to the High Court under section 31.

(4) A party to the proceedings may apply in writing to the chairman or, in the case of an appeal tribunal which has only one member, that member, for a statement of the reasons for the tribunal's decision within one month of the sending or giving the record of the decision to every party to the proceedings and following the application the chairman, or in the case of an appeal tribunal which has only one member, that member, shall record a statement of the reasons and a copy of that statement shall be sent or given to every party to the proceedings as soon as may be practicable.

(5) If the decision is not unanimous, the record of the decision specified in paragraph (1) shall indicate that one of the members dissented and the statement of reasons referred to in paragraph (4) shall include the reasons given by that member for dissenting.

Record of tribunal proceedings

15.—(1) A record of the proceedings at an oral hearing, which is sufficient to indicate the evidence taken, shall be made by the chairman or, in the case of an appeal tribunal which has only one member, that member, in such medium as he may determine.

(2) Such record shall be preserved by the clerk to the appeal tribunal for six months from the date of the decision made by the appeal tribunal to which the record relates and any party to the proceedings may within that period apply in writing for a copy of that record and a copy shall be supplied to him.

Correction of accidental errors

16.—(1) The clerk to the appeal tribunal or a legally qualified panel member may at any time correct accidental errors in any decision, or the record of any such decision, of an appeal tribunal made under the Act.

(2) A correction made to, or to the record of, a decision shall be deemed to be part of the decision or record of that decision and written notice of it shall be given as soon as practicable to every party to the proceedings.

(3) Without prejudice to regulation 17, there shall be no appeal against a correction made under this regulation or a refusal to make such a correction.

(4) Nothing in this Part shall be construed as derogating from any power to correct errors or set aside decisions which is exercisable apart from these Regulations.

Appeals to the High Court

17.—(1) An appeal to the High Court against a decision of an appeal tribunal under section 30 may be made on the ground that the decision was erroneous in point of law.

(2) An appeal under this regulation may be brought by—

- (a) the Department; or
- (b) the person to whom the certificate was issued.