
STATUTORY RULES OF NORTHERN IRELAND

2001 No. 299

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

Part III

Rights of appeal and procedure for Bringing Appeals

Making of appeals and applications

7.—(1) An appeal, or an application for an extension of time for making an appeal to an appeal tribunal, shall be in writing either on a form approved for the purpose by the Department or in such other format as it accepts as sufficient for the purpose and shall—

- (a) be signed by—
 - (i) the person who, under section 29, has a right of appeal; or
 - (ii) where the person mentioned in head (i) has provided written authority to a representative to act on his behalf, that representative;
- (b) be sent or delivered to the Department;
- (c) contain the following particulars—
 - (i) the date of the certificate against which the appeal is made;
 - (ii) the ground under section 29 to which the appeal relates; and
 - (iii) a summary of the reasons relied on by the person making the appeal to support his contention that the certificate is wrong.

(2) A form which is not completed in accordance with the instruction on it—

- (a) except where paragraph (3) applies, does not satisfy the requirements of paragraph (1); and
- (b) may be returned by the Department to the sender for completion in accordance with those instructions.

(3) Where the Department is satisfied that the form, although not completed in accordance with the instructions on it, includes sufficient information to enable the appeal or application to proceed, it may treat the form as satisfying the requirements of paragraph (1).

(4) Where an appeal or application is made in writing otherwise than on the approved form (“the letter”), and the letter includes sufficient information to enable the appeal or application to proceed, the Department may treat the letter as satisfying the requirements of paragraph (1).

(5) Where the letter does not include sufficient information to enable the appeal or application to proceed, the Department may request further information in writing (“further particulars”) from the person who wrote the letter.

(6) Where a form is returned under paragraph 2(b) or where further particulars are requested under paragraph (5) and such form and particulars are completed and returned to the Department

within 14 days, or within such other period as the Department directed, the time for making the appeal shall be extended by 14 days or by such other period as the Department may direct.

(7) Where a person to whom a form is returned or from whom further particulars are requested does not complete and return the form or send further particulars within the period of time specified in paragraph (6)—

- (a) the Department shall forward a copy of the form or, as the case may be, the letter, together with any other relevant documents or evidence to a legally qualified panel member; and
- (b) the legally qualified panel member shall determine whether the form or the letter satisfies the requirements of paragraph (1), and shall inform the appellant or applicant and the Department of his determination.

(8) Where—

- (a) a form is duly completed and returned or further particulars are sent after the expiry of the period of time allowed in accordance with paragraph (6); and
- (b) no decision has been made under paragraph (7) at the time the form or the further particulars are received by the Department;

that form or those further particulars shall also be forwarded to the legally qualified panel member who shall determine whether the form or the letter satisfies the requirements of paragraph (1), and shall inform the appellant or applicant and the Department of his determination.

(9) The date of an appeal shall be the date on which all the particulars required under paragraph (1) are received by the Department.

(10) The particulars referred to in paragraph (9) shall be forwarded to the clerk to the appeal tribunal.