
DRAFT STATUTORY INSTRUMENTS

2014 No.

The Diffuse Mesothelioma Payment Scheme Regulations 2014

Reviews and appeals

Other circumstances in which a review may be held

23.—(1) Where a notice of an appeal which is made by an applicant to the First-tier Tribunal is received by the scheme administrator before a request for a review under regulation 21 is received—

- (a) that notice is to be treated for all purposes as if it were a request for a review; and
- (b) the scheme administrator must delay referring the case to the First-tier Tribunal until the review has been completed.

(2) The scheme administrator must notify the applicant in writing of the matters specified in paragraph (1)(a) and (b).

(3) The applicant may submit written representations to the scheme administrator about the grounds on which the applicant is dissatisfied with the determination which is appealed against.

(4) Any representation which is made under paragraph (3) must be sent so that it is received by the scheme administrator not later than one month after the date of the scheme administrator's notice under paragraph (2).

(5) The scheme administrator may extend the time limit in paragraph (4) by a further period where the scheme administrator considers that there was good reason for the failure to submit written representations before the end of that initial period and for any delay since then in submitting written representations.

(6) Where the determination made on review is that a payment under the scheme is to be made to the applicant, the case is not to be referred to the First-tier Tribunal unless, on being notified of the determination in accordance with regulation 24(4)(b), the applicant sends a notice in writing to the scheme administrator to indicate that the applicant does not accept the determination made on review.