



# Human Fertilisation and Embryology Act 1990

## 1990 CHAPTER 37

### *Grant, revocation and suspension of licences*

#### **20 Appeal to Authority against determinations of licence committee**

- (1) Where a licence committee determines to refuse a licence or to refuse to vary a licence so as to designate another individual in place of the person responsible, the applicant may appeal to the Authority if notice has been given to the committee and to the Authority before the end of the period of twenty-eight days beginning with the date on which notice of the committee's determination was served on the applicant.
- (2) Where a licence committee determines to vary or revoke a licence, any person on whom notice of the determination was served (other than a person who applied for the variation or revocation) may appeal to the Authority if notice has been given to the committee and to the Authority before the end of the period of twenty-eight days beginning with the date on which notice of the committee's determination was served.
- (3) An appeal under this section shall be by way of rehearing by the Authority and no member of the Authority who took any part in the proceedings resulting in the determination appealed against shall take any part in the proceedings on appeal.
- (4) On the appeal—
  - (a) the appellant shall be entitled to appear or be represented,
  - (b) the members of the licence committee shall be entitled to appear, or the committee shall be entitled to be represented, and
  - (c) the Authority shall consider any written representations received from the appellant or any member of the committee and may take into account any matter that could be taken into account by a licence committee,and the Authority may make such determination on the appeal as it thinks fit.
- (5) The Authority shall give notice of its determination to the appellant and, if it is a determination to refuse a licence or to refuse to vary a licence so as to designate another

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*Status: This is the original version (as it was originally enacted).*

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individual in place of the person responsible or a determination to vary or revoke a licence, shall include in the notice the reasons for the decision.

- (6) The functions of the Authority on an appeal under this section cannot be discharged by any committee, member or employee of the Authority and, for the purposes of the appeal, the quorum shall not be less than five.