

*These notes refer to the Protection of Children Act 1999
(c.14) which received Royal Assent on 15 July 1999*

PROTECTION OF CHILDREN ACT 1999

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 9 – The Tribunal

19. *Section 9* establishes the Tribunal already mentioned variously above:

Subsection (1) confirms that it is to deal with appeals and determinations in respect of the Department of Health list under *section 4*, and appeals in respect of List 99 in consequence of regulations made under *section 6*;

Subsection (2) confers a power to make regulations for the Tribunal's proceedings;

Subsection (3) specifies, though not exclusively, what the regulations may cover;

Subsection (4) disapplies Part 1 of the Arbitration Act 1996 since it would not be appropriate for these proceedings, though it is left open that the regulations may nonetheless draw on the Act's provisions;

Subsection (5) establishes offences triable only in the magistrates' court confined to three specific areas of the regulation making power and for the purpose of supporting the integrity of the Tribunal's procedure, specifying also the level of penalty available to the courts on conviction;

Subsection (6) provides that appeal from the Tribunal will lie to the High Court on a point of law only;

Subsection (7) gives effect to the Schedule to the Act which concerns the constitution and management of the Tribunal.