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STATUTORY INSTRUMENTS

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**2002 No. 816**

**The Protection of Children and Vulnerable Adults  
and Care Standards Tribunal Regulations 2002**

**PART III**

**APPEALS, DETERMINATIONS AND APPLICATIONS FOR LEAVE**

**Procedure for appeals, determinations and applications for leave**

4.—(1) In the case of an appeal under section 21 of the 2000 Act, the procedure set out in Schedule 1 shall apply.

(2) In the case of an appeal under section 79M of the 1989 Act, the procedure set out in Schedule 2 shall apply.

(3) In the case of an appeal under section 65A of the 1989 Act, the procedure set out in Schedule 3 shall apply.

(4) In the case of—

- (a) an application for leave under section 4(1)(b) or (2) of the 1999 Act;
- (b) an appeal under section 4(1)(a) of the 1999 Act against a decision to include an individual in the POCA list;
- (c) an appeal under section 4(1)(b) of the 1999 Act against a decision not to remove an individual from the POCA list under section 1(3) of that Act;
- (d) a determination under section 4(2) of the 1999 Act as to whether an individual should be included in the POCA list;
- (e) an appeal under regulation 13 of the Education Regulations against a decision to give a direction under regulation 5 of those Regulations; or
- (f) an appeal under regulation 13 of the Education Regulations against a decision not to revoke or vary such a direction,

the procedure set out in Schedule 4 shall apply.

(5) In the case of—

- (a) an application for leave to the Tribunal under section 86(1)(b) or (2) of the 2000 Act;
- (b) an appeal under section 86(1)(a) of the 2000 Act against a decision to include an individual in the POVA list;
- (c) an appeal under section 86(1)(b) of the 2000 Act against a decision not to remove an individual from the POVA list; or
- (d) a determination under section 86(2) of the 2000 Act as to whether an individual should be included in the POVA list,

the procedure set out in Schedule 5 shall apply.