
STATUTORY INSTRUMENTS

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.