
STATUTORY INSTRUMENTS

2009 No. 1891

The Human Fertilisation and
Embryology (Appeals) Regulations 2009

PART 4

Procedure on reconsideration

Procedure at hearings

25.—(1) The order of proceedings at the hearing shall be as follows—

- (a) the Chair shall declare the meeting open;
- (b) where the appellant is not present or represented at the hearing, if the Chair is satisfied that all reasonable efforts have been made to provide the appellant with the notice of hearing, having consulted the Committee, the Chair may—
 - (i) proceed with the hearing in the absence of the appellant, or
 - (ii) adjourn the hearing and issue appropriate directions;
- (c) the presenter shall make an opening statement outlining the facts of the case;
- (d) the appellant or, where appropriate, the appellant's representative may—
 - (i) adduce evidence, and
 - (ii) call witnesses, subject to regulations 22(3) and 27 (provided that the Chair is satisfied that the witness is in a position to provide the relevant testimony);
- (e) the presenter may—
 - (i) adduce evidence in rebuttal of the position of the appellant and in support of the position of the Authority, and
 - (ii) call witnesses, subject to regulations 22(3) and 27 (provided that the Chair is satisfied that the witness is in a position to provide the relevant testimony);
- (f) the appellant or, where appropriate, the appellant's representative may make a closing statement; and
- (g) the Committee shall hold private deliberations and shall then announce its decision in the presence of the parties (where present), together with the reasons for its decision.

(2) The Chair may refuse to allow a witness to give oral evidence, or to give evidence on a particular matter, if in the opinion of the Chair all or part of the evidence that the witness is to provide, or is to provide on that matter, should have been disclosed to the party not calling the witness at an earlier stage in the proceedings.