

SCHEDULE 3

Procedure for appeal against a decision of the appropriate body

Determination of appeal on failure to defend the appeal or withdrawal of appeal or reply

10.—(1) The Secretary of State must allow the appeal where—

- (a) the respondent's reply states that the respondent does not seek to defend the decision which is the subject of the appeal; or
- (b) the respondent withdraws the reply.

(2) The Secretary of State must notify the appellant if the appeal is allowed under subparagraph (1).