



Regulation and Inspection of Social Care (Wales) Act 2016

2016 anaw 2

PART 4

SOCIAL CARE WORKERS

Appeals to the tribunal

104 Appeals against decisions of a registration appeals panel

- (1) This section applies where a registration appeals panel—
 - (a) makes a determination under section 98(1)(b) that an entry in the register should not be restored for a reason that relates to the person's fitness to practise;
 - (b) directs under section 98(4) that a person may not make further applications for restoration to a part of the register, or confirms such a direction under section 99(2);
 - (c) makes a determination in respect of an application for restoration referred to it by virtue of rules made under section 100(2)(e) for a reason that relates to the person's fitness to practice;
 - (d) makes a determination under section 103 in respect of an appeal against a decision of the registrar.
- (2) The person to whom the panel's decision relates may appeal against it to the tribunal.
- (3) An appeal under this section must be brought before the end of the period of 28 days beginning with the date of the panel's decision.
- (4) But the tribunal may allow an appeal to be made to it after the end of the period mentioned in subsection (3) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay in applying for permission to appeal out of time).

Changes to legislation: There are currently no known outstanding effects for the Regulation and Inspection of Social Care (Wales) Act 2016, Cross Heading: Appeals to the tribunal. (See end of Document for details)

- (5) On an appeal under this section, the tribunal may—
- (a) confirm the decision,
 - (b) substitute for the panel's decision another decision which the panel could have made, or
 - (c) remit the case to SCW to dispose of in accordance with the directions of the tribunal.

Commencement Information

II S. 104 in force at 3.4.2017 by [S.I. 2017/309](#), **art. 2(c)** (with [arts. 3, 4](#), [Sch.](#))

^{F1}105 Other appeals: decisions made under the General Systems Regulations

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Textual Amendments

F1 S. 105 omitted (31.12.2020) by virtue of [The Regulation and Inspection of Social Care \(Qualifications\) \(Wales\) \(Amendment\) \(EU Exit\) Regulations 2019](#) (S.I. 2019/761), regs. 1(2), **II** (with regs. 15A-19) (as amended by [S.I. 2020/1626](#), regs. 1(2), 6-13); 2020 c. 1, Sch. 5 para. 1(1)

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