
STATUTORY INSTRUMENTS

2001 No. 3750

The Family Health Services Appeal
Authority (Procedure) Rules 2001

PART III

APPLICATIONS TO THE FHSAA

(A)

MAKING AN APPLICATION

Applications in respect of contingent removal decisions

15.—(1) The following paragraphs apply to any application under section 49M(5)(a) of the 1977 Act in respect of a contingent removal decision.

(2) Subject to paragraph (4), the first application in respect of such a decision shall not be made until three months have elapsed since the contingent removal decision was made.

(3) Subject to paragraph (4), any further application in respect of the same contingent removal decision shall not be made until six months have elapsed since the FHSAA gave its last decision in respect of such application or further application.

(4) Where the parties wish to apply jointly to the FHSAA with a view to seeking—

- (a) the same variation of conditions,
- (b) the same imposition of different conditions, or
- (c) for the contingent removal to be revoked,

the application shall be treated as being made by the Health Authority and may be made after a period of one month has elapsed since the FHSAA gave its decision in respect of an application to which either paragraph (2) or (3) applied.