
STATUTORY INSTRUMENTS

2001 No. 3750

The Family Health Services Appeal
Authority (Procedure) Rules 2001

PART IV

GENERAL MATTERS RELATING TO CASES

(C)

DETERMINATION OF APPEALS OR APPLICATIONS BY PANELS

Powers to determine an appeal or application without a hearing

38.—(1) The panel may, if the parties so agree in writing, determine an appeal or application, or any particular issue, without an oral hearing.

(2) The panel may determine an appeal or application on the basis of the documents provided by the appellant under rules 6 and 7 or by the applicant under rules 16 to 18, as the case may be, without an oral hearing where—

- (a) no reply is received by the FHSAA within the time appointed under rule 12 or rule 23, or
- (b) the respondent Health Authority or the respondent states in writing that he does not resist, or withdraws his reply, to the appeal or application.

(3) The provisions of paragraph (2) of rule 40 and of paragraph (6) of rule 41 shall apply in respect of the determination of an appeal or application, or any particular issue, under this rule.