

SCHEDULE 3

Appeals to the Secretary of State

PART 3

Determination of appeals

Oral hearings

8.—(1) If the Secretary of State does decide to hear oral representations, the Secretary of State must give not less than 14 days notice of the time and place at which the oral representations are to be heard to—

- (a) the Primary Care Trust that took the decision that is being appealed;
- (b) the person who made the original application to which the appeal relates;
- (c) if a person other than that applicant is bringing the appeal, the person bringing the appeal;
- (d) any Local Pharmaceutical Committee for the area of the Primary Care Trust (including one for its area and that of one or more other Primary Care Trusts);
- (e) any Local Medical Committee for the area of the Primary Care Trust (including one for its area and that of one or more other Primary Care Trusts); and
- (f) any additional presenters,

and they (or their duly authorised representatives) are to be the only persons entitled to make oral representations at the hearing.

(2) For these purposes, a person (P) is an “additional presenter” if—

- (a) P was notified of the appeal under Part 2 and has made written representations in accordance with paragraph 3(2), 4(3) or 5(3), which—
 - (i) indicated that, if there were to be an oral hearing in relation to the appeal, P would wish to make oral representations at that hearing, and
 - (ii) identified a matter about which the Secretary of State considers it would be desirable to hear further evidence from P at the oral hearing; and
- (b) the Secretary of State is satisfied that P made a reasonable attempt to express P’s views on the appeal adequately in P’s written representations.