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STATUTORY INSTRUMENTS

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**2005 No. 990**

**The Child Trust Funds (Appeals) Regulations 2005**

**Choice of hearing**

9.—(1) Where an appeal is made to an appeal tribunal the appellant and any other party to the proceedings shall notify the clerk to the appeal tribunal, on a form approved by the Secretary of State, whether he wishes to have an oral hearing or whether he is content for the appeal to proceed without an oral hearing.

(2) The form shall include a statement informing the appellant that, if he does not notify the clerk to the appeal tribunal as required by paragraph (1) within the period specified in paragraph (3), the appeal may be struck out in accordance with regulation 13(1).

(3) Notification in accordance with paragraph (1)—

- (a) if given by the appellant, must be given or sent to the clerk to the appeal tribunal within 14 days of the date on which the form is issued to him; or
- (b) if given by the Board, must be given or sent to the clerk to the appeal tribunal within 14 days of the date on which the form is issued to the appellant,

or within such longer period as the clerk may direct.

(4) Where an oral hearing is requested in accordance with paragraphs (1) and (3) the appeal tribunal shall hold an oral hearing unless the appeal is struck out under regulation 13(1).

(5) The chairman of the appeal tribunal may of his own motion direct that an oral hearing of the appeal be held if he is satisfied that such a hearing is necessary to enable the appeal tribunal to reach a decision.