
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 24

The Recovery of Health Services Charges (Reviews and Appeals) Regulations (Northern Ireland) 2007

Appeals against certificates

5.—(1) Any appeal against a certificate shall be in writing on a form approved by the Department and, unless an application has been granted to extend the time for an appeal against a certificate under regulation 7, shall be sent to the Department—

- (a) not later than 3 months after—
 - (i) the date on the certificate, or
 - (ii) if later, the date on which the compensation payment is made;
- (b) where a certificate is confirmed following a review by the Department under Article 8, not later than 3 months after the date of that confirmation;
- (c) where an agreement is made under which an earlier compensation payment is treated as having been made in final discharge of a claim made by or in respect of an injured person and arising out of the injury or death, not later than 3 months after the date of that agreement; or
- (d) where the compensator makes a waiver application, not later than one month after—
 - (i) the date of the waiver decision, or
 - (ii) if the compensator appeals against that decision, the date on which the appeal is decided or withdrawn.

(2) Where the points raised in an appeal against a certificate have not already been the subject of a review under Article 8 the Department, if it thinks it appropriate to do so, may treat an appeal against a certificate as an application for review under Article 8(3).

(3) Where the Department decides to treat an appeal against a certificate as an application for review under Article 8(3) it must advise the applicant that it has done so and—

- (a) where the certificate is confirmed, notify the applicant of that decision; or
 - (b) otherwise issue a fresh certificate.
- (4) Any appeal under this regulation shall contain the following particulars—
- (a) the date of the certificate in relation to which the appeal is made;
 - (b) the ground under Article 9 to which the appeal relates; and
 - (c) a summary of the arguments relied on by the person making the appeal to support his contention that the certificate is wrong.