
DRAFT STATUTORY INSTRUMENTS

2024 No.

**The Anaesthesia Associates and
Physician Associates Order 2024**

Part 5

REVISIONS AND APPEALS

Appeal to a court

17.—(1) In respect of a provision listed in the first column of the following table, a decision of the decision maker listed in the corresponding entry in the second column may be appealed to the court by a person listed in the corresponding entry in the third column.

<i>Provision</i>	<i>Decision maker</i>	<i>Appellant</i>
article 6(2) and (3)	the Panel or person prescribed	the applicant
article 7	the Regulator	the person registered
article 9(1)(c)	the Registrar	the person to whom the entry relates
article 10(3), other than subparagraph (b)(ii)	the case examiner	the person to whom the determination relates
article 10(5)	the Panel	the person to whom the determination relates
article 11(1) and (2)	the Panel	the person to whom the Interim Measure relates
article 12(4)	the Regulator	the person to whom the Interim Measure relates
article 13(1)	the case examiner or Panel	the person to whom the Final Measure relates
article 14(3)	the Regulator	the person to whom the Final Measure relates

(2) In respect of a provision listed in the first column of the following table, a decision of the decision maker listed in the corresponding entry in the second column may be appealed to the relevant court by a person listed in the corresponding entry in the third column.

<i>Provision</i>	<i>Decision maker</i>	<i>Appellant</i>
article 6(1)	the Registrar	the applicant

<i>Provision</i>	<i>Decision maker</i>	<i>Appellant</i>
article 8	the Regulator	the person to whom the condition applies
article 9(1)(a)	the Registrar	the person to whom the entry relates
article 9(2)	the Registrar	the person to whom the entry relates

(3) For the purposes of [paragraph \(2\)](#), the “relevant court” means a county court or, in Scotland, the sheriff in whose Sheriffdom is situated the address—

- (a) which is shown in the register as the address of the person listed in the third column of the table, or
- (b) which would have been so shown if the person were registered.

(4) Where an appeal lies against a decision by virtue of [article 16\(1\)](#), such an appeal may not be commenced under [this article](#) unless—

- (a) permission to appeal has been refused under [article 16\(3\)\(b\)](#), or
- (b) the Panel has disposed of the appeal in accordance with [article 16\(5\)](#).

(5) Where a person wishes to appeal to the court, county court or sheriff under [this article](#), the appeal must be commenced within 28 days beginning with the later of the date on which—

- (a) the decision,
- (b) a revision of the decision under [article 15](#),
- (c) a refusal of permission to appeal under [article 16](#), or
- (d) the determination of an appeal against the decision under [article 16](#),

was notified to the person listed in the third column of the table in [paragraph \(1\)](#) or [\(2\)](#).

(6) On an appeal under [this article](#), the court, county court or sheriff may—

- (a) dismiss the appeal;
- (b) quash the decision under appeal;
- (c) substitute for the decision under appeal a decision that could have been made;
- (d) remit the matter to be disposed of in accordance with directions.

(7) The court, county court or sheriff may make any order as to costs or, in Scotland, expenses as it thinks fit.

(8) No appeal under [this article](#) lies against a decision made solely on the ground that the person has not—

- (a) paid a fee payable in accordance with rules made under [paragraph 8](#) of [Schedule 4](#), or
- (b) applied for registration in accordance with rules made under [paragraph 4\(1\)\(a\)](#) of [Schedule 4](#).

(9) Unless the context otherwise requires, reference to a decision in [this article](#) includes a decision—

- (a) as revised under [article 15](#), and
- (b) as amended following an appeal under [article 16](#).