

*Status: Point in time view as at 14/07/2014.*

*Changes to legislation: Human Tissue Act 2004, Cross Heading: Procedure in relation to licensing decisions is up to date with all changes known to be in force on or before 06 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 3

#### LICENCES FOR THE PURPOSES OF SECTION 16

##### *Procedure in relation to licensing decisions*

- 10 (1) Before making a decision—
- (a) to refuse an application for the grant, revocation or variation of a licence, or
  - (b) to grant an application for a licence subject to a condition under paragraph 5, the Authority shall give the applicant notice of the proposed decision and of the reasons for it.
- (2) Before making a decision under paragraph 7(2) or 8(3) or (5), the Authority shall give notice of the proposed decision and of the reasons for it to—
- (a) the holder of the licence, and
  - (b) where different, the designated individual.
- (3) A person to whom notice under sub-paragraph (1) or (2) is given has the right to require the Authority to give him an opportunity to make representations of one of the following kinds about the proposed decision, namely—
- (a) oral representations by him, or a person acting on his behalf;
  - (b) written representations by him.
- (4) The right under sub-paragraph (3) is exercisable by giving the Authority notice of exercise of the right before the end of the period of 28 days beginning with the day on which the notice under sub-paragraph (1) or (2) was given.
- (5) The Authority may by regulations make such additional provision about procedure in relation to the carrying-out of functions under this Schedule as it thinks fit.

#### **Modifications etc. (not altering text)**

- C1** Sch. 3 paras. 7-11 applied (with modifications) (25.5.2007 for specified purposes, 5.7.2007 in so far as not already in force) by [Human Tissue \(Quality and Safety for Human Application\) Regulations 2007 \(S.I. 2007/1523\)](#), reg. 1(2)(3), **8(2)(e)(6)(7)** (with reg. 2(3))
- C2** Sch. 3 paras. 7-11 applied (with modifications) (12.7.2012 for specified purposes, 27.8.2012 in so far as not already in force) by [The Quality and Safety of Organs Intended for Transplantation Regulations 2012 \(S.I. 2012/1501\)](#), reg. 1(2)(3), **6**
- C3** Sch. 3 paras. 7-11 amendment to earlier affecting provision S.I. 2012/1501 reg. 6 (14.7.2014) by [The Quality and Safety of Organs Intended for Transplantation \(Amendment\) Regulations 2014 \(S.I. 2014/1459\)](#), regs. 1(1), **4**

#### **Commencement Information**

- I1** [Sch. 3 para. 10](#) in force at 20.10.2005 for specified purposes by [S.I. 2005/2792](#), **art. 2(2)(j)**
- I2** [Sch. 3 para. 10](#) in force at 1.3.2006 for specified purposes by [S.I. 2006/404](#), **art. 2(3)(4)**, **Sch.** (with [arts. 4-6](#))

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- I3** Sch. 3 para. 10 in force at 7.4.2006 for specified purposes by S.I. 2006/404, art. 3(3), **Sch.** (with arts. 4-6)
- I4** Sch. 3 para. 10 in force at 31.7.2006 for specified purposes by S.I. 2006/1997, art. 2, **Sch.** (with art. 4)
- I5** Sch. 3 para. 10 in force at 1.9.2006 in so far as not already in force by S.I. 2006/1997, **art. 3(2)** (with arts. 4, 7, 8)

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