
STATUTORY INSTRUMENTS

1986 No. 1911

ANIMALS

**The Animals (Scientific Procedures)
(Procedure for Representations) Rules 1986**

<i>Made</i>	- - - -	<i>7th November 1986</i>
<i>Laid before Parliament</i>		<i>18th November 1986</i>
<i>Coming into Operation</i>		<i>10th December 1986</i>

In exercise of the powers conferred on me by section 12(7) of the Animals (Scientific Procedures) Act 1986, I hereby make the following Rules:—

Citation, commencement and extent

1. These Rules may be cited as the Animals (Scientific Procedures) (Procedure for Representations) Rules 1986 and shall come into operation on 10th December 1986.
2. These Rules shall apply to England and Wales and Scotland.

Interpretation, etc

3.—(1) In these Rules—

“the Act” means the Animals (Scientific Procedures) Act 1986;

“applicant” means an applicant for a licence or certificate under the Act or the holder of such a licence or certificate who wishes to make written or oral representations in respect of a proposal to refuse, vary or revoke such a licence or certificate or the inclusion of any condition in such a licence or certificate under section 12(3) or (4) of the Act; and

“person appointed” means a person appointed to receive such representations under section 12 of the Act.

(2) Any notification, notice, written representations or other document given or sent in pursuance of these Rules may be given or sent by post.

Notification of appointment

4. Where the applicant has notified the Secretary of State of his wish to make representations under section 12(3) or (4) of the Act, the Secretary of State shall notify the applicant in writing of the name of the person appointed and of the address to which his written representations are to be sent.

Documents

5. The Secretary of State shall prepare a list of the documents which he considers relevant to the consideration of representations by the person appointed and shall send a copy of such list, together with a copy of each of the documents included in it, to the applicant with the notification sent in pursuance of the preceding Rule, and to the person appointed.

Time limit for written representations

6. The applicant shall submit his written representations under section 12(3) or (4) to the person appointed not later than 21 days after the date on which he is notified of the appointment of the person appointed in pursuance of Rule 4 of these Rules; but the person appointed may, if he thinks fit, extend the period during which such representations are to be submitted to him.

Notice of hearing of oral representations

7.—(1) Where the applicant has notified the Secretary of State of his wish to make oral representations under section 12(3) or (4) of the Act, the Secretary of State shall give him at least 28 days' notice in writing of the date, time and place of the hearing by the person appointed.

(2) Such notice shall request the applicant to state whether he wishes the hearing to be in public.

(3) Such notice shall, where the documents sent in pursuance of Rule 5 of these Rules include a report by an inspector appointed under section 18 of the Act, invite the applicant to notify the Secretary of State whether he intends to dispute any fact contained in that report; and where the applicant has given the Secretary of State at least 7 days' notice of his intention to dispute any such fact, the inspector shall attend the hearing and the applicant shall be entitled to question him about any matter of fact contained in the report.

Procedure at hearings of oral representations

8.—(1) Subject to the provisions of the Act and the other provisions of these Rules the person appointed shall, in his discretion, determine the procedure at the hearing of oral representations.

(2) The applicant may appear in person at such a hearing, or may be represented by any other person, and shall be entitled to call witnesses and to address the person appointed.

(3) If the applicant so requests, the hearing by the person appointed shall be in public.

(4) Any member of the Council on Tribunals or of the Scottish Committee of the Council in his capacity as such may attend any hearing by a person appointed.

Postponement or adjournment

9. The person appointed may, if he thinks fit, postpone or adjourn any hearing of oral representations pending before him, and shall give the applicant reasonable notice of the date, time and place of the subsequent hearing

Appointed person's report

10. Following his consideration of representations, the person appointed shall prepare a written report of his findings and recommendation and send it to the Secretary of State who shall furnish a copy of it to the applicant.

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7th November 1986

Douglas Hurd
One of Her Majesty's Principal Secretaries of
State
Home Office

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EXPLANATORY NOTE

Section 12 of the Animals (Scientific Procedures) Act 1986 confers a right to make representations to a legally qualified person appointed by the Secretary of State on a person who has applied for or holds a personal or project licence or a certificate of designation of a scientific procedure, breeding or supplying establishment under that Act where the Secretary of State proposes to refuse such a licence or certificate or to vary or revoke it otherwise than at the request of the holder, or where the holder is dissatisfied with any condition contained in such a licence or certificate. These Rules prescribe the procedure to be followed in the making and consideration of such representations.