
STATUTORY INSTRUMENTS

1998 No. 1203

The Consumer Credit Licensing (Appeals) Regulations 1998

PART V

DETERMINATION OF THE APPEAL BY THE SECRETARY OF STATE

Appointed person's report

21.—(1) Where the appointed person has completed the hearing of oral representations for which Part IV of these Regulations provide, he shall provide for the Secretary of State a reasoned report of the hearing which shall—

- (a) take into account any representations made and evidence produced in the course of the appeal;
- (b) include any findings of fact or rulings on points of law relevant to his recommendation;
- (c) include his recommendations as to the determination of the appeal by the Secretary of State and as to the payment of costs; and
- (d) be signed by the appointed person and, if more than one person has been appointed and has heard the appeal, by any such person, provided that if any appointed person does not agree with any of the recommendations contained in the report he shall indicate that he does not agree, giving his reasons.

Notice of directions for disposing of the appeal

22.—(1) The Secretary of State shall consider the report and shall, as soon as practicable thereafter, give notice to the parties of her directions for disposing of the appeal under section 41(3) of the Act.

(2) The notice given under paragraph (1) shall, in addition to the directions described in that paragraph, contain a statement—

- (a) setting out any specific directions which the Secretary of State gives by virtue of section 2(2) of the Act as to the particulars of the appeal which the Director is to cause to be kept in the register;
- (b) setting out the Secretary of State's reasons for her directions under section 41(3) of the Act; and
- (c) declaring that any person who is dissatisfied in point of law with the decision of the Secretary of State and who had a right to appeal to the Secretary of State from the Director's determination (whether or not he has exercised that right) may, by virtue of section 11 of the Tribunals and Inquiries Act 1992, apply to Her Majesty's High Court of Justice or to the Court of Session, or to the High Court of Justice in Northern Ireland.

(3) In any case where the Secretary of State gives directions under section 41(3) of the Act, she shall give to the appellant a copy of any report relating to the appeal which was given to the Secretary of State by the appointed person.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Publication

23.—(1) The Secretary of State must make such arrangements for the publication of her decision as she considers appropriate, but in doing so must have regard to the confidentiality of any evidence heard in private or of any confidential material supplied to her.

(2) For the purpose of any arrangements made under paragraph (1), the Secretary of State may make any deletions which appear to her to be necessary from the text of any document.