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STATUTORY INSTRUMENTS

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**2001 No. 3750**

The Family Health Services Appeal  
Authority (Procedure) Rules 2001

PART IV

GENERAL MATTERS RELATING TO CASES

(B)

PREPARATION FOR HEARING BY A PANEL

**Failure to comply with certain directions**

**36.**—(1) Subject to paragraph (2), if any directions given to a party under this Part are not complied with by such a party without reasonable excuse, the panel may, before or at the hearing—

- (a) dismiss the whole or any part of the appeal or application,
- (b) strike out the whole or part of a respondent Health Authority's, or respondent's reply and
- (c) where appropriate, direct that a respondent Health Authority shall be debarred from contesting an appeal altogether or, as the case may be, that a respondent shall be debarred from contesting an application altogether.

(2) A panel shall not so dismiss or strike out or give such a direction unless it has sent notice to the party who has not complied with that direction giving an opportunity to show cause why it should not do so.