
STATUTORY INSTRUMENTS

2012 No. 3098

The Civil Legal Aid (Procedure) Regulations 2012

PART 4

Licensed Work

Appeal: power to refer for reconsideration

- 46.**—(1) The adjudicator may do one or more of the following—
- (a) decide certain issues in accordance with regulation 47; and
 - (b) consider whether the determination, amendment or withdrawal under appeal (“the decision under appeal”) was unlawful or unreasonable.
- (2) Where the adjudicator decides that the decision under appeal was not unlawful or unreasonable—
- (a) the adjudicator must confirm the decision under appeal, giving written reasons; and
 - (b) the Director must notify the individual.
- (3) Where the adjudicator decides that the decision under appeal was unlawful or unreasonable—
- (a) the adjudicator must refer the decision under appeal to the Director for reconsideration, giving written reasons; and
 - (b) the Director must notify the individual.
- (4) Where new information relevant to the decision under appeal is provided by the individual following the review, the adjudicator may refer the decision under appeal to the Director for reconsideration instead of determining the appeal.