

SCHEDULE 3

Appeals to the Welsh Ministers

PART 1

Preliminary matters

General principles

1. Except in so far as these Regulations provide to the contrary, the Welsh Ministers may determine an appeal submitted to them in such manner as they think fit and may, in particular—

- (a) consider all information available to them which, in their opinion, is relevant to the determination of an appeal;
- (b) consider two or more appeals together and in relation to each other (but they are not obliged to do so where the Local Health Board has determined two or more applications together and in relation to each other) but where they intend to do so they must give notice of that intention to each appellant and those given notice of each appeal in accordance with this Schedule;
- (c) where in accordance with subparagraph (b) the Welsh Ministers consider two or more appeals to which regulation 9(2) applies together and in relation to each other, they may refuse an appeal (notwithstanding the fact that they would if determining the appeal in isolation grant it) where the number of appeals is such, or the circumstances in which they are made are such, that to grant all of them or more than one of them, would prejudice the proper provision of primary medical services, pharmaceutical services or dispensing services in the controlled locality within which the premises specified in the appeal are situated.
- (d) remit an appeal submitted to them to a Local Health Board for re-determination in cases where the information that the applicant is required to provide in accordance with Schedule 1 was incomplete;
- (e) dismiss an appeal if they are of the opinion that the notice of appeal—
 - (i) is not valid because it does not comply with the requirements of this Schedule;
 - (ii) does not disclose any reasonable grounds of appeal; or
 - (iii) is otherwise vexatious or frivolous.