

SCHEDULE 3

Minor, consequential and supplemental provisions

Protection of Children Act 1999

175. In section 9 (the tribunal)—

- (a) omit subsection (1);
- (b) in subsection (2) for the words from the beginning to “Tribunal” substitute “Tribunal Procedure Rules may make any provision within subsection (3) in relation to the proceedings of the First-tier Tribunal (“the Tribunal”)—”;
- (c) for subsection (3) substitute—
 - “(3) The provision within this subsection is provision—
 - (a) as to the circumstances in which applications for permission may be made; or
 - (b) for obtaining a medical report in a case where the decision appealed against was made on medical grounds.”;
- (d) in subsection (3A) (as that subsection has effect before the commencement of its repeal by paragraph 8(3)(c) of Schedule 9 to the Safeguarding Vulnerable Groups Act 2006⁽¹⁾)—
 - (i) for “The regulations” substitute “Tribunal Procedure Rules”; and
 - (ii) omit “; and the provision that may be made by virtue of subsection (3)(j) and (k) above includes provision in relation to such investigations”;
- (e) omit subsection (3B);
- (f) for subsection (3C) substitute—
 - “(3C) Before making in Tribunal Procedure Rules provision within subsection (3) in relation to proceedings of the Tribunal on an appeal or determination within subsection (2) (c) or (d), the Tribunal Procedure Committee must consult the Welsh Ministers.”;
- (g) omit subsection (4);
- (h) for subsection (5) substitute—
 - “(5) Any person who without reasonable excuse fails to comply with any requirement—
 - (a) which is imposed by Tribunal Procedure Rules in relation to any of the proceedings of the Tribunal mentioned in subsection (2) above, and
 - (b) which is—
 - (i) a requirement imposing reporting restrictions,
 - (ii) a requirement in respect of the discovery or inspection of documents of a kind which could be imposed by a county court, or
 - (iii) a requirement for persons to attend to give evidence or produce documents,is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”; and
- (i) omit subsections (6) and (7).

⁽¹⁾ 2006 c.47.