

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Public Health (Wales) Act 2017, Paragraph 18 is up to date with all changes known to be in force on or before 12 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE 3

FURTHER PROVISION IN CONNECTION WITH SPECIAL PROCEDURE LICENCES

Appeals

- 18 (1) An applicant may appeal to a magistrates' court against—
- (a) the refusal of an application for a special procedure licence;
 - (b) the refusal of an application to vary a special procedure licence;
 - (c) the refusal of an application to renew a special procedure licence.
- (2) A licence holder may appeal to a magistrates' court against a revocation under section 68.
- (3) An individual to whom notice has been given under section 61(1) (designation of a person for the purposes of section 58) may appeal to a magistrates' court against the decision to give the notice.
- (4) An appeal is to be made within the period of 21 days beginning with the date of—
- (a) in the case of an appeal under sub-paragraph (1) or (2), the notice of the decision to refuse the application or of the decision to revoke;
 - (b) in the case of an appeal under sub-paragraph (3), the notice under section 61(1).
- (5) An appeal is to be by way of complaint for an order, and in accordance with the Magistrates' Courts Act 1980 (c.43).
- (6) For the purposes of the time limit for making an appeal, the making of the complaint is to be treated as the making of the appeal.
- (7) On an appeal, the magistrates' court may—
- (a) confirm the decision of the local authority appealed against, or
 - (b) quash or vary the decision appealed against,
- and may make such order as to costs as it thinks fit.
- (8) If the magistrates' court quashes or varies the decision appealed against, it may remit the case to the local authority to dispose of in accordance with directions given by the court.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/949, art. 3 by [S.I. 2017/967 art. 2](#)