



The Environmental Protection (Single-use Plastic Products) (Wales) Act 2023

2023 asc 2

Enforcement

15 Retained property: appeals

- (1) A person (“A”) with an interest in anything taken away under section 13(1)(c) (“retained property”) may apply by way of complaint to any magistrates’ court for an order requiring the retained property to be released, either to A or to another person.
- (2) If, on an application under this section, the court is satisfied that the continued retention of the retained property is not necessary for the purpose of ascertaining whether an offence under section 5 has been committed, it may make an order requiring the release of the retained property.
- (3) An order under this section may contain whatever provision the court thinks appropriate for delaying its coming into force pending the making and determination of an appeal (including an application under section 111 of the [Magistrates’ Courts Act 1980 \(c. 43\)](#)).
- (4) If the court adjourns the hearing of an application under this section, it may make an order in respect of the retained property that lasts until the final hearing of the application or until any further order is made, if it considers it appropriate to do so.
- (5) Nothing in this section affects any other power of the court to make an order in respect of the retained property, including any power to make an order under section 1 of the [Police \(Property\) Act 1897 \(c. 30\)](#) (power to make order with respect to property in possession of police).

Commencement Information

- 11** S. 15 not in force at Royal Assent, see [s. 22\(2\)](#)
12 S. 15 in force at 30.10.2023 by [S.I. 2023/1149](#), [art. 2\(m\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Environmental Protection (Single-use Plastic Products) (Wales) Act 2023, Section 15.