
STATUTORY INSTRUMENTS

2013 No. 2775

The Fruit Juices and Fruit Nectars (England) Regulations 2013

Appeal against improvement notice – application of subsections (1) and (6) of section 37, and section 39, of the Act

18.—(1) Subsections (1) and (6) of section 37 of the Act (appeals) apply for the purposes of these Regulations with the following modifications—

(a) for subsection (1), substitute—

“(1) Any person who is aggrieved by a decision of an authorised officer of an enforcement authority to serve an improvement notice under section 10(1), as applied and modified by regulation 17 of the Fruit Juices and Fruit Nectars (England) Regulations 2013, may appeal to the First-tier Tribunal.”; and

(b) in subsection (6)—

(i) for “(3) or (4)”, substitute “(1)”; and

(ii) in paragraph (a), for “a magistrates’ court or to the sheriff”, substitute “the First-tier Tribunal”.

(2) Section 39 of the Act (appeals against improvement notices) applies for the purposes of these Regulations with the following modifications—

(a) for subsection (1), substitute—

“(1) On an appeal against a decision of an authorised officer of an enforcement authority to serve an improvement notice under section 10(1), as applied and modified by regulation 17 of the Fruit Juices and Fruit Nectars (England) Regulations 2013, the First-tier Tribunal may either cancel or affirm the notice, and, if it affirms it, may do so either in its original form or with such modifications as the Tribunal may in the circumstances think fit.”; and

(b) in subsection (3), omit “for want of prosecution”.

Changes to legislation:

There are currently no known outstanding effects for the The Fruit Juices and Fruit Nectars (England) Regulations 2013, Section 18.