
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 80

**The Marine Licensing (Appeals)
Regulations (Northern Ireland) 2011**

Powers of the Appeals Commission

5.—(1) Except as otherwise provided for in these Regulations, any appeal under regulation 4 shall be determined in accordance with Articles 292 (Water Appeals Commission) and 293 (Procedure of the Appeals Commission) of the Water and Sewerage Services (Northern Ireland) Order 2006.

(2) Before determining any appeal under regulation 4, the Appeals Commission shall, if either the appellant or the licensing or enforcement authority (as the case may be) so desires, afford to each of them an opportunity of appearing before and being heard by the Appeals Commission.

(3) The Appeals Commission may in respect of an appeal under regulation 4(a)—

- (a) dismiss the appeal;
- (b) allow the appeal and quash the decision in whole or in part; or
- (c) where the Appeals Commission quashes a decision under sub-paragraph (b), direct the licensing authority—
 - (i) to grant a marine licence; or
 - (ii) to grant a marine licence on such terms or subject to such conditions as the Appeals Commission may direct.

(4) The Appeals Commission may in respect of an appeal under regulation 4(b) or (c)—

- (a) quash the notice, vary the terms of the notice or uphold the notice; or
- (b) take such steps as the licensing authority or enforcement authority (as appropriate) could take in relation to the act or omission giving rise to the notice.