

SCHEDULE 2

LICENCES

PART 5

Cancellation and Suspension of Licence

20. If the Agency considers that circumstances exist which, had it foreseen them (and possessed the same scientific knowledge it does now) at the time, it would have refused under paragraph 2 of Part 1 to grant a licence, it may give notice to the licensee—

- (a) explaining why it would have refused to grant the licence; and
- (b) informing the licensee that, unless the licensee persuades it in writing not to do so within a period of twenty-eight days after the sending of the notice, or such longer period as it may allow, it will cancel the licence.

21. If by the expiration of the 28 day period or of any longer period allowed under paragraph 20(b) the Agency is not persuaded to the contrary, it shall give notice in writing to the licensee that the licence is cancelled from a date specified in the notice and shall state in the notice why it is not so persuaded; but if so persuaded it shall notify the licensee accordingly.

22. If cancelled, the licence shall cease to have effect on the date specified in the notice.

23.—(1) If the Agency considers that unless the licence is suspended there will or may be a risk of injury to health it may give notice in writing to the licensee suspending the licence from a date specified in the notice and, subject to sub-paragraphs (2) and (3), the licence shall have no effect for the purpose of these Regulations during that period.

(2) Subject to sub-paragraph (3), where notice is given suspending the licence—

- (a) the suspension shall cease to have effect at the expiration of three days after notice of the suspension has been served on the licensee unless notice has in the meantime been served on the licensee under paragraph 20; but
- (b) if notice has in the meantime been served on the licensee under paragraph 20 the suspension shall continue until either—
 - (i) the Agency decides not to cancel the licence; or
 - (ii) the licence terminates.

(3) The Agency may, if it considers that in the absence of suspension there will not be a risk of injury to health, by further notice in writing to the licensee withdraw the notice suspending the licence.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Food Irradiation (Scotland) Regulations 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 3-68-10](#)