



# Radioactive Substances Act 1993

## 1993 CHAPTER 12

### *Appeals*

#### **[<sup>F1</sup>28 Representations in relation to authorisations and notices where appropriate Minister is concerned.**

- (1) Before the chief inspector and the appropriate Minister—
  - (a) refuse an application for an authorisation under section 13, or
  - (b) attach any limitations or conditions to such an authorisation, or
  - (c) vary such an authorisation, otherwise than by revoking a limitation or condition subject to which it has effect, or
  - (d) revoke such an authorisation,the person directly concerned shall, and such local authorities or other persons whom the Secretary of State and that Minister consider appropriate may, be afforded the opportunity of appearing before, and being heard by, a person appointed for the purpose by the Secretary of State and that Minister.
- (2) In subsection (1)—
  - (a) “ the person directly concerned ”, in relation to an authorisation under section 13, means the person applying for the authorisation or the person to whom the authorisation was granted, as the case may be, and
  - (b) any reference to attaching limitations or conditions to such an authorisation is a reference to attaching limitations or conditions to it either in granting the authorisation or in the exercise of any power to vary it.
- (3) The appropriate Minister shall afford to any person—
  - (a) on whom he has served a notice under section 21 or 22, and
  - (b) who requests a hearing within the prescribed period,an opportunity to appear before and be heard by a person appointed by him for the purpose.
- (4) In the application of this section to Northern Ireland, references to the Secretary of State shall have effect as references to the Department of the Environment for Northern Ireland.]

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**Status:** Point in time view as at 25/11/2021.

**Changes to legislation:** Radioactive Substances Act 1993, Section 28 is up to date with all changes known to be in force on or before 25 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)

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#### Textual Amendments

- F1** S. 28 repealed (E.W.S.) (1.4.1996) by 1995 c. 25, s. 120(1)(3), Sch. 22 para. 216, **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/186, **art. 3**

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