



Prevention of Damage by Pests Act 1949

1949 CHAPTER 55

PART II

INFESTATION OF FOOD

15 Appeal against directions under s. 14

- (1) Where directions are given under the last foregoing section requiring the carrying out of any structural works, or the destruction of any food or container, any person who is aggrieved thereby may—
 - (a) in the case of directions requiring the carrying out of any structural works, within twenty-one days from the service of the directions ;
 - (b) in the case of directions requiring the destruction of any food or container, within seven days from the service of the directions,

appeal to a court of summary jurisdiction for the petty sessional division or place in which the works are required to be carried out or, as the case may be, in which the food or container is for the time being situated.

- (2) Upon any such appeal the court, if satisfied that the directions are for any reason invalid, or that any requirement thereof is excessive or unreasonable, may quash or amend the directions, as the case may be, but in any other case shall dismiss the appeal:

Provided that if and so far as the appeal is based on the ground of some informality, defect or error in or in connection with the directions, the court shall dismiss the appeal if satisfied that the informality, defect or error was not a material one.

- (3) Any directions given under the last foregoing section requiring the carrying out of any structural works, or the destruction of any food or container, shall include a statement of the right of appeal under this section, and of the _ time within which such an appeal may be brought.
- (4) An appeal shall lie to quarter sessions from the decision of a court of summary jurisdiction under this section in respect of directions requiring the carrying out of any structural works.

Status: This is the original version (as it was originally enacted).

(5) In the application of this section to Scotland—

- (a) in subsection (1), for the words from " to a court " to the end of the subsection there shall be substituted the words " by way of an application to the sheriff in whose jurisdiction the works are required to be carried out or, as the case may be, in which the food or container is for the time being " ;
- (b) subsection (4) shall not apply.