



Civil Defence Act 1939

1939 CHAPTER 31

PART III

PRIVATE SHELTERS AND TRAINING IN CERTAIN FACTORIES, MINES AND BUILDINGS.

17 Appeals.

- (1) Where a notice is served under subsection (2) of section fifteen or subsection (1) of section sixteen of this Act, any person who was served thereunder with the notice or is entitled to any interest which may, under the provisions of this Part of this Act relating to factory premises occupied under short leases, become the subject of a charge in respect of the expenses of the occupier of the premises in providing the shelter to which the notice relates, or is, under the provisions of this Part of this Act relating to increases of rent in the case of certain commercial buildings, liable to an increase of rent in respect of the expenses of the owner of the building in providing the said shelter, may, within the period specified in subsection (4) of this section, appeal to the Minister on the ground that—
 - (a) the proposals or requirements of the notice are not appropriate, or are not those most appropriate to the circumstances of the case; or
 - (b) it is not reasonable to require the provision of any air-raid shelter in the case of the premises, mine or building.
- (2) If the Minister allows an appeal on the ground specified in paragraph (a) of subsection (1) of this section, he shall vary the terms of the notice in such manner as he thinks fit and if he allows it on the ground specified in paragraph (b) thereof, he shall cancel the notice.
- (3) Where under either of the last two preceding sections an occupier or owner has served a notice, or is required to serve a copy of a notice served upon him, with respect to air-raid shelter, he shall not begin to execute works for the purpose of providing the shelter to which the notice relates before the expiration of the period specified in subsection (4) of this section, or, if within that period an appeal is brought against the notice, until the determination or abandonment of the appeal.
- (4) The period referred to in the preceding provisions of this section shall,—

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (a) where a notice has been served by a factory inspector, mines inspector or local authority, be twenty-one days from the service of the notice by that inspector or authority;
- (b) in the case of factory premises where no notice has been served by a factory inspector, be fourteen days from the service of the notice by the occupier;
- (c) in the case of a commercial building where no notice has been served by the local authority, be fourteen days from the service of the notice by the owner.