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WELSH STATUTORY INSTRUMENTS

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**2011 No. 923**

The Marine Licensing (Notices Appeals) (Wales) Regulations 2011

**Appeals — further provisions**

5.—(1) In any appeal the burden of proof is on the licensing authority or enforcement authority (as appropriate), and—

- (a) if the appeal involves the alleged commission of an offence the authority must prove the commission of the offence beyond reasonable doubt, and
- (b) the First-tier Tribunal must determine the standard of proof in any other case.

(2) The First-tier Tribunal may—

- (a) withdraw the notice or any requirement contained in it;
- (b) confirm the notice or any requirement contained in it;
- (c) vary the notice or any requirement contained in it;
- (d) 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;
- (e) remit the decision whether to confirm the notice, or any matter relating to that decision, to the licensing authority or enforcement authority (as appropriate).