
WELSH STATUTORY INSTRUMENTS

2011 No. 925

**The Marine Licensing (Appeals Against
Licensing Decisions) (Wales) Regulations 2011**

PART 3

Starting the appeal

Time limit for the notice of appeal

6. Notice of an appeal must be received by the Welsh Ministers within the period of 6 months beginning with the date of the decision to which the appeal relates.

Contents of the notice of appeal

7.—(1) A notice of appeal must include—

- (a) the name, address (including any e-mail address) and telephone number of the appellant and any agent acting for the appellant;
- (b) a statement of the grounds of appeal;
- (c) a statement as to whether the appellant wishes to have the appeal dealt with by way of written representations, a hearing or an inquiry;
- (d) a list of all the documents, including dates (where any document is dated), specified in paragraph (2).

(2) A notice of appeal must be accompanied by—

- (a) a copy of the decision to which the appeal relates; and
- (b) a copy of all documents upon which the appellant wishes to rely.

Decision as to appeal procedure and start date

8.—(1) The appointed person must, as soon as practicable after determining the validity of a notice of appeal, decide whether the appeal is to be determined by means of written representations, a hearing or an inquiry.

(2) The appointed person must notify the appellant and the Licensing Authority of that decision.

(3) The date of that notification is the start date for the appeal.

(4) A decision under paragraph (1) may be varied by a subsequent decision under that paragraph at any time before the appeal is determined.

(5) But before making such a variation, the appointed person must consult the appellant and the Licensing Authority.

(6) Where the decision referred to in paragraph (1) is varied—

- (a) the appointed person must notify the appellant, the Licensing Authority and any other person who has made written representations in respect of the appeal, of the variation;

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- (b) anything done in relation to the former appeal procedure which could have been done under any corresponding provision of these Regulations relating to the new appeal procedure has effect as if done under that corresponding provision; and
 - (c) the appointed person may give consequential directions as to the procedure.
- (7) Nothing in paragraphs (4) to (6) affects the start date under paragraph (3).
- (8) In making a decision under paragraph (1), the appointed person must have regard to any criteria published by the Welsh Ministers.