
WELSH STATUTORY INSTRUMENTS

2014 No. 3087

The Products Containing Meat etc. (Wales) Regulations 2014

Application of provisions of the Act

7.—(1) Subsections (1) and (2) of section 10 of the Act (improvement notices) apply for the purposes of these Regulations with the following modification.

(2) For subsection (1), substitute—

“(1) If an authorised officer of an enforcement authority has reasonable grounds for believing that a person is failing to comply with regulations 4(1) or (2) or 5(1) of the Products Containing Meat etc. (Wales) Regulations 2014, the authorised officer may, by a notice served on that person (in this Act referred to as an “improvement notice”)—

- (a) state the officer’s grounds for believing that the person is failing to comply with the relevant provision;
- (b) specify the matters which constitute the person’s failure so to comply;
- (c) specify the measures which, in the officer’s opinion, the person must take in order to secure compliance; and
- (d) require the person to take those measures, or measures that are at least equivalent to them, within such period (not being less than 14 days) as may be specified in the notice.”

(3) Subsections (1) and (6) of section 37 of the Act (appeals) apply for the purposes of these Regulations with the following modifications—

(a) for subsection (1), substitute—

“(1) Any person who is aggrieved by a decision of an authorised officer of an enforcement authority to serve an improvement notice under section 10(1), as applied and modified by regulation 7 of the Products Containing Meat etc. (Wales) Regulations 2014, may appeal to the magistrates’ court.”; and

(b) in subsection (6)—

- (i) for “(3) or (4)”, substitute “(1)”; and
- (ii) in paragraph (a), omit “or to the sheriff”.

(4) Section 39 of the Act (appeals against improvement notices) applies for the purposes of these Regulations with the following modifications—

(a) for subsection (1), substitute—

“(1) On an appeal against a decision of an authorised officer of an enforcement authority to serve an improvement notice under section 10(1), as applied and modified by regulation 7 of the Products Containing Meat etc. (Wales) Regulations 2014, the magistrates’ court may either cancel or affirm the notice, and, if it affirms it, may do so either in its original form or with such modifications as the court may in the circumstances think fit.”; and

(b) in subsection (3), omit “for want of prosecution”.

(5) The provisions of the Act specified in column 1 of the table in Schedule 2 apply for the purposes of these Regulations with the modifications specified in column 2 of that table.