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WELSH STATUTORY INSTRUMENTS

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**2016 No. 387**

**The Animal Feed (Hygiene, Sampling etc. and  
Enforcement) (Wales) Regulations 2016**

**PART 5**

**Enforcement powers and related provisions**

**Service of notices**

**38.**—(1) Any notice to be given by an enforcement authority under regulation 8, 9, 10, 24, 29, or 31—

- (a) must be in writing and signed by an authorised officer acting on behalf of the enforcement authority;
- (b) if purporting to bear the signature (which includes a facsimile of a signature by whatever means reproduced) of a person who is expressed to be an authorised officer, will be deemed, unless the contrary is proven, to have been duly issued by such an authorised officer;
- (c) subject to paragraph (2), must be given to the feed business operator or to the person mentioned in regulation 31(2)(a) by—
  - (i) delivering it to that person;
  - (ii) by leaving it, or sending it in a prepaid letter addressed to that person at their office;
  - (iii) in the case of an incorporated company or body, by delivering it to their secretary or clerk at their registered or principal office, or by sending it in a prepaid letter addressed to the secretary or clerk at that office; or
  - (iv) in the case of any other person by leaving it or sending it in a prepaid letter addressed to that person at their usual or last known residence.

(2) Where it is not practicable after reasonable inquiry to ascertain the name and address of the person on whom the notice should be served, or where the premises in which a feed business is carried on is unoccupied, the notice may be addressed to the “owner” or “occupier” of the premises in which the feed business is carried on, and delivered to some person on those premises, or if there is no person on the premises to whom it can be delivered, the notice or a copy of it may be affixed to some conspicuous part of the premises.

(3) Any notice to be given by an enforcement authority under regulation 30 must—

- (a) be in writing and signed by an authorised officer acting on behalf of the enforcement authority;
- (b) if purporting to bear the signature (which includes a facsimile of a signature by whatever means reproduced) of a person who is expressed to be an authorised officer, will be deemed, unless the contrary is proven, to have been duly issued by such an authorised officer;

- (c) be addressed to the “owner” or “occupier” of the premises and be delivered to some person on those premises, or if there is no person on those premises to whom it can be delivered, the notice or a copy of it must be affixed to some conspicuous part of the premises.