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WELSH STATUTORY INSTRUMENTS

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**2020 No. 1011**

The Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020

**PART 2**

Local authority directions in relation to premises, events and public places

CHAPTER 2

Form and procedure

**Appeals and representations**

- 12.**—(1) In this regulation, “interested person” means—
- (a) in the case of a premises direction—
    - (i) a person carrying on a business from the premises to which the direction relates;
    - (ii) (if different) a person who owns or occupies the premises;
  - (b) in the case of an event direction—
    - (i) a person involved in organising the event to which the direction relates;
    - (ii) (if different) a person who owns or occupies the premises at which the event takes place or is proposed to take place;
  - (c) in the case of a public place direction—
    - (i) a person carrying on a business from premises within the public place to which the direction relates;
    - (ii) a person who owns, occupies or is responsible for any premises in the public place.
- (2) An interested person may—
- (a) appeal against the direction to a magistrates' court by way of complaint for an order, and the Magistrates' Courts Act 1980<sup>M1</sup> applies to the proceedings;
  - (b) make representations to the Welsh Ministers about the direction.
- (3) Where an interested person makes representations to the Welsh Ministers under this regulation the Welsh Ministers must—
- (a) consider the representations as soon as is reasonably practicable, and
  - (b) decide whether it would be appropriate to exercise the power in regulation 13(1).
- (4) The Welsh Ministers must provide written reasons for the decision in paragraph (3)(b) to—
- (a) the interested person, and
  - (b) the local authority which gave the direction.
- (5) Making representations under paragraph (2)(b) does not affect an interested person's right of appeal under paragraph (2)(a).

**Status:** Point in time view as at 18/09/2020.

**Changes to legislation:** There are currently no known outstanding effects for the The Health Protection (Coronavirus Restrictions) (Functions of Local Authorities etc.) (Wales) Regulations 2020, Section 12. (See end of Document for details)

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**Commencement Information**

**II** Reg. 12 in force at 18.9.2020 at 12.01 a.m., see reg. 1(3)

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**Marginal Citations**

**M1** 1980 c. 43.

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