

## SCHEDULE 2

### Modification of provisions of the Act

#### **PART 4**

#### Modification of section 37 of the Act

4. Section 37 of the Act (appeals to magistrates' court or sheriff) applies as if—
- (a) for the heading there were substituted “ Appeals ”;
  - (b) for subsection (1) there were substituted—

“(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 4(1) of, and Part 1 of Schedule 2 to, the Infant Formula and Follow-on Formula (Wales) Regulations 2020 may appeal to the magistrates' court.”;
  - (c) subsection (2) were omitted;
  - (d) for subsection (5) there were substituted—

“(5) The period within which such an appeal as is mentioned in subsection (1) above may be brought must be—whichever ends the earlier—

    - (a) one month from the date on which notice of the decision was served on the person desiring to appeal; or
    - (b) the period specified in the improvement notice

and in the case of such an appeal, the making of the complaint shall be deemed for the purposes of this subsection to be the bringing of the appeal.”
  - (e) in subsection (6)—
    - (i) for “ subsection (3) or (4)” there were substituted “ subsection (1) ”; and
    - (ii) in paragraph (a), “or to the sheriff” were omitted.

#### **Commencement Information**

- II** Sch. 2 para. 4 in force at 22.2.2020 for specified purposes and at 22.2.2021 in so far as not already in force, see [reg. 1\(2\)](#)

**Status:**

Point in time view as at 22/02/2020.

**Changes to legislation:**

There are currently no known outstanding effects for the The Infant Formula and Follow-on Formula (Wales) Regulations 2020, PART 4.