

*These notes refer to the Public Health (Wales) Act  
2017 (c.2) which received Royal Assent on 3 July 2017*

# **PUBLIC HEALTH (WALES) ACT 2017**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 3**

#### **Tobacco and Nicotine Products**

#### ***Chapter 2 - Retailers of Tobacco and Nicotine Products***

#### ***Section 48 - Appropriated property: compensation***

80. This section provides a right for a person affected by the taking possession of property under section 44(1)(c) to apply to a magistrates' court for compensation. Where the circumstances set out in subsection (2) are satisfied (i.e. that the person has suffered loss or damage as a consequence of the property being taken, and the loss or damage is not due to their neglect or failure to act, the court may order the local authority to pay compensation to the applicant.