



Public Health (Wales) Act 2017

2017 anaw 2

PART 4

SPECIAL PROCEDURES

Designation for purposes of licensing requirement

61 Designation of individual for the purposes of section 58(3)

- (1) If the condition in subsection (2) is met, a local authority may give notice under this subsection to an individual (“P”), designating P for the purposes of section 58(3) in respect of a special procedure specified in the notice.
- (2) The condition is that the authority is satisfied that—
 - (a) P is likely to perform the procedure on someone else in Wales,
 - (b) the procedure as likely to be so performed by P presents or could present significant risk of harm to human health, and
 - (c) in order to remove or reduce that risk, it is appropriate to subject P to the requirement in section 58(3).
- (3) Notice under subsection (1) must—
 - (a) explain why the authority has decided to designate P,
 - (b) specify the date beginning with which the designation is to take effect, and
 - (c) prohibit P from performing the special procedure in question, as from the beginning of that date, otherwise than under the authority of a special procedure licence.
- (4) The notice must also state—
 - (a) that P may appeal under paragraph 18 of Schedule 3 against the decision, and
 - (b) the period within which an appeal may be brought.
- (5) The date specified under subsection (3)(b) may be the date of the notice, or a subsequent date.

Status: This is the original version (as it was originally enacted).

- (6) References in this Part to a special procedure in respect of which an individual is designated are to the procedure specified in the notice under this section designating the individual.
- (7) A local authority may withdraw a designation under subsection (1).
- (8) If a local authority withdraws the designation of an individual under subsection (1), it must give the individual notice of this, specifying—
 - (a) the reasons for the withdrawal;
 - (b) the date with the expiry of which the withdrawal is to take effect.
- (9) If a designation of an individual under subsection (1) in respect of a special procedure is withdrawn, the prohibition imposed under subsection (3)(c) in respect of that procedure ceases to have effect with the expiry of the date specified under subsection (8)(b).