



Tobacco and Primary Medical Services (Scotland) Act 2010

2010 asp 3

PART 1

TOBACCO PRODUCTS ETC.

CHAPTER 2

REGISTER OF TOBACCO RETAILERS

Tobacco retailing banning orders

17 Tobacco retailing banning orders etc.: appeals

- (1) A person against whom a tobacco retailing banning order or an ancillary order under section 16 is made may appeal to the sheriff principal, whose decision is final.
- (2) An appeal under this section must be made within 21 days of the order being made.
- (3) Where the appeal is against a tobacco retailing banning order, the sheriff principal may determine the appeal by—
 - (a) quashing the order (and any ancillary order under section 16 relating to the order),
 - (b) substituting for the period specified in the order under section 15(5) such other period of effect (ending no later than 24 months after the day the order was granted) as the sheriff principal considers appropriate, or
 - (c) refusing the appeal.
- (4) Where the appeal is against an ancillary order under section 16, the sheriff principal may determine the appeal by—
 - (a) quashing the order, or
 - (b) refusing the appeal.