Status: *This version of this cross heading contains provisions that are prospective.*
Changes to legislation: *There are currently no known outstanding effects for the Domestic Fire Safety (Wales) Measure 2011, Paragraph 5. (See end of Document for details)*

PROSPECTIVE

SCHEDULE 1

ENFORCEMENT

Appeal against a paragraph 3 notice

5 (1) A person who is given a paragraph 3 notice may appeal to a magistrates' court on any of the following grounds that are appropriate in the circumstances of the particular case—

(a) that the notice or a requirement that it imposes is not justified by the terms of paragraph 3,

(b) that there has been some informality, defect or error in, or in connection with, the notice,

(c) that the authority has refused unreasonably to approve the execution of alternative works, or that the works required by the notice to be executed are otherwise unreasonable in character or extent, or are unnecessary;

(d) that the time within which the works are to be executed is not reasonably sufficient for the purpose.

(2) If and in so far as an appeal under this section is based on the ground of some informality, defect or error in or in connection with the notice, the court must dismiss the appeal, if it is satisfied that the informality, defect or error was not a material one.

Status:
This version of this cross heading contains provisions that are prospective.

Changes to legislation:
There are currently no known outstanding effects for the Domestic Fire Safety (Wales) Measure 2011, Paragraph 5.