

SCHEDULES

SCHEDULE 1

Article 2(2) and (4).

RELEVANT NOTICES AND ENFORCING AUTHORITIES

| Relevant notices | Enforcing Authorities |
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| A notice under Article 23 or 24 of the Health and Safety at Work (Northern Ireland) Order 1978 ⁽¹⁾ . | The enforcing authority (within the meaning of the 1978 Order) by which the inspector who served the notice was appointed. |
| A notice under Article 33 of the Fire Services (Northern Ireland) Order 1984 ⁽²⁾ . | The Fire Authority for Northern Ireland. |
| A notice under section 19(5) or (6) of the Food and Environment Protection Act 1985 ⁽³⁾ . | <p>In the case of a notice in respect of transferred matters (within the meaning of section 43(2) of the Northern Ireland Constitution Act 1973) —⁽⁴⁾</p> <p>(a) where the notice was served by a person authorised by any Northern Ireland Department, that Department;</p> <p>(b) where the notice was served by an officer authorised by a district council, that council.</p> <p>In the case of a notice in respect of any other matters—</p> <p>(a) where the notice was served by an officer authorised by a district council, that council;</p> <p>(b) in any other case, the Minister of Agriculture, Fisheries and Food.</p> |

SCHEDULE 2

Article 5(3).

APPEALS UNDER ARTICLE 5(3)

1. The Department of Economic Development shall prepare a panel of not less than 3 persons each of whom shall be a practising barrister-at-law or a practising solicitor of the Supreme Court, in either case of not less than 7 years standing, and shall forward copies of that panel as for the time being in force to all authorities which are enforcing authorities for the purposes of this Order.

(1) 1978 NI 9
(2) 1984 NI 11
(3) 1985 c. 48
(4) 1973 c. 36

Status: This is the original version (as it was originally made).

2. Where, within the period of 14 days from the date of service on him under Article 5(2)(b) of a copy of a draft entry in the register, a person serves notice in writing on the enforcing authority of his intention to appeal against that authority's proposal to make an entry in the register in the terms of that draft, the enforcing authority shall send to him a copy of the panel mentioned in paragraph 1 which is for the time being in force.

3. Not later than 28 days from the date on which a copy of the panel was sent to him under paragraph 2, a person may serve on the enforcing authority a notice in writing naming a member selected from the panel and setting out the grounds of his appeal.

4. Where a notice is served under paragraph 3, the enforcing authority shall arrange for the hearing of the appeal by the person named therein.

5. Paragraphs 3 to 8, 13 and 14 of Schedule 4 to the Health and Safety at Work (Northern Ireland) Order 1978(5) shall apply in relation to an appeal under this Schedule as they apply in relation to a reference under that Schedule but with the substitution—

- (a) of references to the Department of Economic Development for references to the Department concerned; and
- (b) of references to the person named in the notice under paragraph 3 for references to the referee.