

---

STATUTORY RULES OF NORTHERN IRELAND

---

**2006 No. 485**

**The Fishery Products (Official Controls Charges) Regulations (Northern Ireland) 2006**

**PART 1**

**PRELIMINARY**

**Appeals**

**8.—(1)** A person may appeal against any decision of the relevant district council imposing a charge under these Regulations.

(2) The appeal shall be heard by a court of summary jurisdiction and Article 37(2), (2A) and (3) of the Food Safety (Northern Ireland) Order 1991<sup>(1)</sup> shall apply in relation to such an appeal as it applies in relation to an appeal under Article 37(1)(c) of that Order.

(3) On any such appeal, the court may —

- (a) confirm the decision of the relevant district council;
- (b) determine any charge which is payable under these Regulations; or
- (c) determine that no charge is payable.

(4) Pending the outcome of the appeal the original amount of the charge shall remain payable, but if after the court's decision the amount of the charge needs to be recalculated, the new amount of the charge shall have effect from the date on which the original charge was made and the sum equal to that new amount shall be payable to the relevant district council.

(5) If the court determines that a charge payable under these Regulations is less than the charge that has been paid, the relevant district council shall reimburse the overpayment to the successful appellant.

---

<sup>(1)</sup> S.I. 1991/762 (N.I.7) as amended by S.I.1996 /1633 (N.I. 12) and paragraphs 26 to 42 of Schedule 5 and Schedule 6 to the Food Standards Act 1999 c.28 and S.R. 2004 No. 482. The definition of "food" in Article 2(2) of S.I. 1991/762 (N.I.7) was substituted by S.R. 2004 No. 482