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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 107**

**The Welfare of Animals at the Time of  
Killing Regulations (Northern Ireland) 2014**

**PART 3**

**ADMINISTRATIVE PROVISIONS**

**Refusal to grant a certificate or temporary certificate**

**12.**—(1) The competent authority may, by notice in writing served on the applicant, refuse to grant a certificate or a temporary certificate if satisfied that the applicant—

- (a) has failed to meet any of the conditions in regulation 8 or 10 (as the case may be); or
- (b) is not a fit and proper person to hold a certificate or temporary certificate of competence.

(2) The notice shall—

- (a) give reasons for the refusal; and
- (b) give details of the right of review by the competent authority against the decision.

**Suspension or revocation of a certificate or temporary certificate**

**13.**—(1) The competent authority may, by notice in writing served on the holder of the certificate or temporary certificate, suspend or revoke a certificate or temporary certificate, (including a certificate or temporary certificate granted in another member State), if satisfied that the holder of the certificate or temporary certificate—

- (a) has failed to comply with any provision of the EU Regulation or these Regulations;
- (b) is no longer a fit and proper person to hold it;
- (c) is not, or is no longer, competent to carry out the operations which the certificate or temporary certificate authorises; or
- (d) has been convicted of an offence concerning the welfare of animals.

(2) The notice shall—

- (a) give reasons for the suspension or revocation;
- (b) state when the suspension or revocation comes into effect and, in the case of suspension, state on what date or event it is to cease to have effect; and
- (c) give details of the right of review by the competent authority against the decision.

(3) Any person whose certificate or temporary certificate is suspended or revoked shall, whether or not that suspension or revocation is the subject of a review pursuant to regulation 16, surrender it to the competent authority within 14 days of receipt of the notice informing that person of the suspension or revocation.

### **Modification of a certificate**

14. The competent authority shall modify a certificate in respect of an operation, category of animal or (where appropriate) type of equipment on request by an applicant if—

- (a) the applicant meets the conditions in regulation 8 in respect of the modification; and
- (b) the competent authority is satisfied the applicant is a fit and proper person to hold a certificate, as modified.

### **Refusal to modify a certificate**

15.—(1) The competent authority may, by notice in writing, refuse to modify a certificate if satisfied that the applicant—

- (a) has failed to meet the conditions in regulation 8 in respect of the modification; or
  - (b) is not a fit and proper person to hold a certificate, as modified.
- (2) The notice shall—
- (a) give reasons for the refusal; and
  - (b) give details of the right of review by the competent authority against the decision.

### **Review by the competent authority**

16.—(1) A person who is aggrieved by a decision of the competent authority to refuse, suspend or revoke a certificate or temporary certificate or to refuse to modify a certificate shall have a right to make representations (oral or written) to the competent authority and to have those representations considered by an independent person appointed by the competent authority.

(2) Any representations shall be made within 21 days of the person receiving notification of the decision of the competent authority.

(3) The independent person shall consider the representations and make recommendations in writing to the competent authority.

- (4) The competent authority shall—
- (a) reconsider its decision in the light of the recommendations of the independent person; and
  - (b) give the person who made the representations written notification of its final determination and the reasons for it.

### **WASK licences**

17.—(1) On the coming into operation of these Regulations, the holder of a valid WASK licence shall surrender the WASK licence to the competent authority.

(2) On surrender of a valid WASK licence the competent authority shall issue a certificate in respect of the holder.