
STATUTORY INSTRUMENTS

2011 No. 1517

**The Plastic Kitchenware (Conditions on Imports
from China) (England) Regulations 2011**

Rights of appeal

9.—(1) Any person who is aggrieved by a decision of an authorised officer to serve a notice under regulation 8(3) may appeal to a magistrates' court.

(2) The procedure on an appeal to a magistrates' court under paragraph (1) shall be by way of complaint for an order, and the Magistrates' Courts Act 1980 shall apply to the proceedings.

(3) The period within which an appeal under paragraph (1) may be brought shall be one month from the date on which the notice was served on the person desiring to appeal and the making of a complaint for an order shall be deemed for the purposes of this paragraph to be the bringing of the appeal.

(4) Where on an appeal under paragraph (1) a magistrates' court determines that the decision of the authorised officer is incorrect, the authority shall give effect to the determination of the court.

(5) A person who is aggrieved by the dismissal by a magistrates' court of an appeal to it under paragraph (1) may appeal to the Crown Court.

(6) Where an appeal has been brought under paragraph (1) within the period specified in paragraph (3), the effect of a notice served under regulation 8(3) is suspended pending the final determination of the appeal.