STATUTORY INSTRUMENTS

2015 No. 1782

The Welfare of Animals at the Time of Killing (England) Regulations 2015

PART 6

Enforcement

Enforcement notices

38.—(1) An enforcement notice is a notice in writing—

(a) requiring a person to take specified steps to remedy a contravention of the EU Regulation or these Regulations;

(b) requiring a person to reduce the rate of operation to such extent as is specified in the notice until that person has taken specified steps to remedy a contravention of the EU Regulation or these Regulations; or

(c) prohibiting a person from carrying on an activity, process or operation, or using facilities or equipment, specified in the notice until the person has taken specified steps to remedy a contravention of the EU Regulation or these Regulations.

(2) An inspector who is of the opinion that a person has contravened or is contravening the EU Regulation or these Regulations may serve on that person an enforcement notice.

(3) An enforcement notice must—

(a) state that the inspector is of that opinion;

(b) state the date and time of service of the notice;

(c) identify the recipient of the notice;

(d) specify the matters constituting the contravention;

(e) specify the steps that must be taken to remedy the contravention;

(f) specify the period within which those steps must be taken; and

(g) give details of the right of appeal against the notice.

(4) A person on whom an enforcement notice is served must comply with it at that person's own expense.

(5) If an enforcement notice is not complied with, the inspector may arrange for it to be complied with at the expense of the person on whom it was served.

(6) An inspector must serve a completion notice if, after service of the enforcement notice, the inspector is satisfied that the person has taken the steps specified in the notice to remedy the contravention.

(7) In the event of an inspector not being satisfied as provided for in paragraph (6), the inspector may, by notice in writing, refuse to serve a completion notice and the notice must—

(a) give reasons for the refusal; and

(b) give details for the right of appeal against the decision.

(8) An enforcement notice ceases to have effect on the issue of a completion notice.

(9) An inspector may at any time withdraw or vary an enforcement notice in writing.