
STATUTORY INSTRUMENTS

2016 No. 1107

The Equipment and Protective Systems Intended for Use
in Potentially Explosive Atmospheres Regulations 2016

PART 5

Market surveillance and enforcement

Appropriate court for appeals against notices

- 70.**—(1) In England and Wales, the appropriate court for the purposes of regulation 69 is—
- (a) the court in which proceedings have been brought in relation to the product for an offence under regulation 61 (offences),
 - (b) an employment tribunal seized of appeal proceedings against a notice which relates to the product and which has been served under or by virtue of paragraph 1 of Schedule 4 (Enforcement powers of the Health and Safety Executive and the Office for Nuclear Regulation under the 1974 Act), or
 - (c) in any other case, a magistrates' court.
- (2) In Scotland, the appropriate court for the purposes of regulation 69 is—
- (a) the sheriff of a sheriffdom in which the person making the appeal resides or has a registered or principal office, or
 - (b) an employment tribunal seized of appeal proceedings against a notice which relates to the product and which has been served under or by virtue of paragraph 1 of Schedule 4 (Enforcement powers of the Health and Safety Executive and the Office for Nuclear Regulation under the 1974 Act).
- (3) A person aggrieved by an order made by a magistrates' court in England and Wales pursuant to an application under regulation 69, or by a decision of such a court not to make such an order, may appeal against that order or decision in England and Wales, to the Crown Court.