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STATUTORY INSTRUMENTS

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**2018 No. 154**

**The Novel Foods (England) Regulations 2018**

**Appeals of civil sanctions and notices**

6.—(1) Any person upon whom a fixed monetary penalty is imposed or upon whom a compliance notice or a stop notice is served may appeal to a magistrates' court.

(2) The procedure on appeal to a magistrates' court is by way of complaint for an order, and the Magistrates' Courts Act 1980 applies to the proceedings.

(3) The period within which an appeal may be brought is one month from the date on which the fixed monetary penalty was imposed or the compliance notice or stop notice was served on the person wishing to appeal and the making of a complaint for an order shall be deemed for the purposes of this paragraph to be the making of the appeal.

(4) A compliance notice is suspended pending an appeal.

(5) The court may, in relation to the imposition of a fixed monetary penalty or service of a notice—

- (a) confirm the penalty or the notice or any requirement contained in the notice;
- (b) vary the penalty or the notice or any requirement contained in the notice; or
- (c) revoke the penalty or the notice or any requirement contained in the notice.

(6) The court may, in relation to compensation payable in respect of stop notices and completion certificates—

- (a) award compensation;
- (b) vary the amount of compensation, by increasing or decreasing it; or
- (c) order the repayment of compensation (in whole or part) to the food authority.