

# SCHEDULES

## SCHEDULE 3

### Compliance notices and stop notices

#### PART 1

##### Compliance notices

###### **Imposition of a compliance notice**

1.—(1) A food authority may by notice impose a requirement to take such steps as the food authority may specify, within such period as it may specify, to secure that an offence under these Regulations does not continue or recur (a “compliance notice”).

(2) Before doing so the food authority must be satisfied beyond reasonable doubt that the person has committed the offence.

(3) A compliance notice may not be imposed on a person on more than one occasion in relation to the same act or omission.

###### **Contents of compliance notice**

2. The compliance notice must include information as to—

- (a) the grounds for imposing the notice;
- (b) what compliance is required and the period within which it must be completed;
- (c) the rights of appeal; and
- (d) the consequences of failing to comply with the notice.

###### **Appeals**

3.—(1) A person receiving a compliance notice may appeal against it.

(2) The grounds of appeal are—

- (a) that the decision was based on an error of fact;
- (b) that the decision was wrong in law;
- (c) that the nature of the requirement is unreasonable;
- (d) that the decision was unreasonable for any other reason.

###### **Criminal proceedings**

4.—(1) If a compliance notice is imposed on any person, that person may not at any time be convicted of the offence in respect of the act or omission giving rise to the compliance notice except where that person fails to comply with the compliance notice.

**Status:** This is the original version (as it was originally made).

(2) Criminal proceedings for offences to which a compliance notice relates may be instituted at any time up to six months from the date when the food authority notifies the person that such person has failed to comply with that notice.