

*These notes refer to the Public Health (Wales) Act  
2017 (c.2) which received Royal Assent on 3 July 2017*

# **PUBLIC HEALTH (WALES) ACT 2017**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 3**

#### **Tobacco and Nicotine Products**

#### ***Chapter 2 - Retailers of Tobacco and Nicotine Products***

#### ***Section 47 - Retained property: appeals***

79. This section provides an additional safeguard relating to the powers of entry and inspection provisions. It enables a person with an interest in anything taken away from the premises by an authorised officer under section 44(1)(c) to apply to a magistrates' court for an order requesting the release of the property. Depending on the court's consideration of an application, it may make an order requiring the release of the retained property.