

PUBLIC HEALTH (WALES) ACT 2017

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4

Special Procedures

Section 59 - General provision about special procedure licences

97. This section provides that a special procedure licence is issued by a local authority. The licence authorises the performance of the special procedure (or special procedures) specified in the licence by the licence holder.
98. A special procedure licence does not authorise a person to carry out a special procedure at premises or in a vehicle that the person manages or controls, unless the premises or vehicle has been approved (as required by section 70). It is also a requirement that the approved premises or vehicle from which a special procedure will be performed is identified on the licence holder's special procedure licence. These requirements ensure that the licence holder's terms of practice are clear to both clients and enforcement officers.
99. The requirement for the licence holder to only practice special procedures from an approved premises or vehicle does not apply if the premises or vehicle has been specified in regulations made under section 69(8). These regulations therefore enable certain premises or vehicles to be exempt from the approval requirements and the requirement for identification on the licence.
100. A special procedures licence authorises the licence holder to perform the specified special procedures for the period specified on the licence. This period must either be no more than seven days (to take account of temporary exhibitions, entertainment or other events), or three years. Once the licence has expired, an application to the local authority must be made for a replacement licence.
101. The procedure for applying for a special procedure licence, including the process for varying, reviewing or revoking a licence, is outlined in Schedule 3. For commentary on this, see Schedule 3 below.
102. [Section 59\(8\)](#) sets out the meaning of three key terms ("licence period"; "licence holder" and "temporary licence") which are referred to in this Part.