



Public Health (Wales) Act 2017

2017 anaw 2

PART 5

INTIMATE PIERCING

Enforcement

107 Appropriated property: compensation

- (1) A person (“P”) with an interest in anything of which an authorised officer or a constable (“an enforcement officer”) has taken possession under section 103(1)(c) (“appropriated property”) may apply by way of complaint to any magistrates’ court for compensation.
- (2) Subsection (3) applies if, on an application under this section, the court is satisfied that—
 - (a) P has suffered loss or damage in consequence of the enforcement officer’s taking possession of the appropriated property, or retaining it, in circumstances where doing so was not necessary for the purpose of ascertaining whether an offence under section 95 had been committed, and
 - (b) the loss or damage is not attributable to the neglect or default of P.
- (3) The court may order compensation to be paid to P—
 - (a) where the enforcement officer is an authorised officer of a local authority, by the local authority, or
 - (b) where the enforcement officer is a constable, by the chief constable of the police force of which the constable is a member.
- (4) The reference in subsection (3) to a “police force” is to a police force for an area that is a police area for the purposes of section 1 of the [Police Act 1996 \(c.16\)](#).