



Public Health (Wales) Act 2017

2017 anaw 2

PART 4

SPECIAL PROCEDURES

Approved premises and vehicles

70 Approval of premises and vehicles in respect of performance of special procedure

- (1) A local authority may, on an application to it by a person carrying on a business in the course of which a special procedure is or is likely to be performed in its area, by issuing a certificate under this section (an “approval certificate”), approve in respect of the special procedure premises or a vehicle that are within subsection (2).
- (2) Premises or a vehicle are within this subsection if—
 - (a) in the case of premises, they are in the area of the local authority;
 - (b) in the case of a vehicle, the local authority considers that the vehicle is, or is likely to be, driven, used or kept in the area of the local authority.
- (3) Regulations must make provision—
 - (a) for criteria that must be met for an application for approval to be granted;
 - (b) for circumstances in which an application for approval is to be granted;
 - (c) for conditions (“mandatory approval conditions”) to which an approval under this section is to be subject;
 - (d) about appealing against refusal of an application for approval.
- (4) The mandatory approval conditions may, among other things, include conditions relating to the inspection of premises and vehicles approved under this section, and the display of an approval certificate.
- (5) An approval certificate must specify a period for which, in the absence of any previous expiry under section 72 or 73, the approval to which it relates is to have effect, being either—

Status: This is the original version (as it was originally enacted).

- (a) a period of no more than seven days, beginning with the date on which the approval certificate is issued (the “approval date”), or
 - (b) a period of three years, beginning with the approval date.
- (6) Unless it previously ceases to have effect under section 72 or 73, approval under this section ceases to have effect with the expiry of that period.
- (7) Regulations may make provision about—
 - (a) the way in which applications for approval are to be made and dealt with (including for the payment of a fee in respect of an application, and for inspections to be carried out before an approval is granted);
 - (b) circumstances in which an application for approval must not be granted, or may be granted at the discretion of the authority to which the application is made;
 - (c) the renewal of approval;
 - (d) the variation of approval.
- (8) Regulations making provision as described in subsection (7)(a) may include (among other things)—
 - (a) provision about how a local authority is to determine the amount of a fee payable in respect of an application;
 - (b) provision about the consequences of failure to comply with a requirement to pay a fee (including provision permitting the local authority to decline to proceed with the application).
- (9) Regulations under this section may make different provision for different purposes, including (among other things) in respect of—
 - (a) different descriptions of premises and vehicles;
 - (b) different descriptions of special procedure;
 - (c) different circumstances in which a special procedure is performed (including by reference to, among other things, the frequency or regularity with which a special procedure is performed at premises or in a vehicle, the duration of any period during which a special procedure is performed at premises or in a vehicle, and whether a special procedure is performed on a peripatetic basis, on a fixed site basis, on a mobile basis, on a temporary basis, or otherwise).