

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Domestic Fire Safety (Wales) Measure 2011, Cross Heading: Obtaining of report where paragraph 3 notice given. (See end of Document for details)

PROSPECTIVE

SCHEDULE 1 **W**

ENFORCEMENT

Obtaining of report where paragraph 3 notice given

- 4 (1) In a case where—
- (a) a person to whom a paragraph 3 notice has been given gives to the local authority by whom the notice was given notice of intention to obtain from a suitably qualified person a written report concerning work to which the paragraph 3 notice relates, and
 - (b) such a report is obtained and submitted to the local authority and, as a result of its consideration of it, the local authority withdraws the paragraph 3 notice, the local authority may pay to the person to whom the paragraph 3 notice was given such amount as appears to the authority to represent the expenses reasonably incurred by the person in consequence of the authority having given that notice including, among other things, the expenses in obtaining the report.
- (2) Subject to sub-paragraph (3) below, if a person to whom a paragraph 3 notice has been given gives notice under sub-paragraph (1)(a) above, then, so far as regards the matters to which the paragraph 3 notice relates, the reference to 28 days in paragraph 3(3) above is to be construed as a reference to 70 days.
- (3) Notice under sub-paragraph (1)(a) above must be given before the expiry of the period of 28 days referred to in paragraph 3(3) above, or, as the case may be, within such longer period as a court allows under paragraph 3(3); and, where such a longer period has been so allowed before notice is given under sub-paragraph (1)(a) above, sub-paragraph (2) above does not apply.

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