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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2009 No.**

**The Licensing of Animal Dealers (Young Cats and Young Dogs) (Scotland) Regulations 2009**

**Review of a decision by the licensing authority**

**13.**—(1) A licence holder or applicant may apply in writing to the licensing authority for a review of a decision.

(2) An application for review—

- (a) must be made within 21 days after the date that notice of a decision is received by the licence holder or applicant; and
- (b) may include any written explanation that the licence holder or applicant considers appropriate.

(3) A decision which is the subject of an application for review shall, unless the licensing authority direct otherwise in writing, have effect until the date of determination of that application.

(4) The application for review shall be determined by the licensing authority, in accordance with paragraphs (5) to (10).

(5) The licensing authority shall appoint a person to carry out the functions in paragraph (8) (“the appointed person”).

(6) The licensing authority shall inform the licence holder or applicant in writing—

- (a) of the name and address of the appointed person;
- (b) of the role of that person; and
- (c) that the licence holder or applicant may give a written explanation (or further explanation) to that person.

(7) Any written explanation referred to in paragraph (6) shall be given to the appointed person within 14 days after the date of intimation to the licence holder or applicant under that paragraph.

(8) The appointed person shall—

- (a) examine the merits of the decision;
- (b) consider any written explanation given by the licence holder or applicant;
- (c) report to the licensing authority following that examination; and
- (d) include in that report such recommendation (if any) for determination of the application as the appointed person shall think fit.

(9) The licensing authority shall consider the report of, and any recommendation by, the appointed person.

(10) The licensing authority shall inform the licence holder or applicant in writing of the result of the determination of the review.

(11) In this regulation “decision” means the—

- (a) determination of an application for an animal dealing licence or for renewal or variation of such a licence;

- (b) decision to attach a condition to a licence; or
- (c) decision to revoke, suspend or vary a licence.