
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 256

**The Prohibited Procedures on Protected Animals
(Exemptions) (Scotland) Regulations 2007**

Review

5.—(1) An applicant who has had their application for authorisation refused, or their authorisation revoked or subjected to any condition or variation may, within 21 days of notification by the Scottish Ministers of that decision, apply to the Scottish Ministers to have that decision reviewed.

(2) Where an application is made under paragraph (1) the Scottish Ministers shall appoint such persons (who may include members of the staff of the Scottish Administration) as they consider appropriate to review the decision.

(3) The persons appointed to review the decision may conduct the review in such form and manner, including considering representations by both parties, as they see fit and shall prepare and send a report to the Scottish Ministers with their recommendation as to how to determine the review.

(4) The Scottish Ministers, having regard to the report sent to them under paragraph (3), shall—

(a) determine the review; and

(b) give to the person who requested the review—

(i) written notification of their determination and their reasons for it; and

(ii) if the person so requests, a copy of the report sent to them under paragraph (3).

(5) Any reference in this regulation or regulation 4 to anything done in writing or produced in written form includes a reference to an electronic communication as defined in section 15(1) of the Electronic Communications Act 2000⁽¹⁾, which has been recorded and is consequently capable of reproduction.

(6) An electronic communication may only be sent to a person where the recipient has consented to that method of communication.

(1) 2000 c. 7. Section 15(1) was amended by paragraph 158 of Schedule 17 to the Communications Act 2003 (c. 21).