
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 537

**The Fishery Products (Official Controls
Charges) (Scotland) Regulations 2007**

PART 1

PRELIMINARY

Appeals

8.—(1) A person may appeal to the sheriff against any decision of the relevant food authority imposing a charge under these Regulations.

(2) Section 37(4) to (6) of the Food Safety Act 1990 ^{M1} shall apply in relation to an appeal under paragraph (1) as it applies in relation to an appeal under section 37(1)(c) of that Act.

(3) On an appeal under paragraph (1), the sheriff may—

- (a) confirm the decision of the relevant food authority;
- (b) determine any charge which is payable under these Regulations; or
- (c) determine that no charge is payable.

(4) Pending the outcome of an appeal under paragraph (1) the original amount of the charge shall remain payable, but if, pursuant to the sheriff's decision, the amount of the charge is recalculated, the recalculated charge shall be payable to the food authority concerned from the date on which the original charge was made.

(5) If the sheriff determines that the amount of any charge payable under these Regulations is less than the amount which any person has so paid, the overpayment shall be reimbursed by the relevant food authority.

Marginal Citations

M1 1990 c. 16.

Changes to legislation:

There are currently no known outstanding effects for the The Fishery Products (Official Controls Charges) (Scotland) Regulations 2007, Section 8.