

SCHEDULE 6

Regulation 28(3)

PROCEDURE ON APPEALS

1.—(1) A person who wishes to appeal to the appropriate authority under regulation 27 shall do so by notice in writing given or sent to the appropriate authority.

(2) The notice shall be accompanied by—

- (a) a statement of the grounds of appeal;
- (b) a copy of any correspondence or document relevant to the appeal that could be required to be disclosed as part of standard disclosure under Part 31 of the Civil Procedure Rules 1998(1); and
- (c) a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or to be determined on the basis of written representations.

(3) The appellant shall serve a copy of his notice of appeal on the appropriate Agency together with copies of the documents mentioned in sub-paragraph (2) above.

2.—(1) Subject to sub-paragraph (2) below, notice of appeal shall be given before the expiry of the period of 2 months beginning with the date of the decision which is the subject of the appeal.

(2) The appropriate authority may at any time allow notice of an appeal to be given after the expiry of the period mentioned in sub-paragraph (1) above.

3. Where under regulation 28(2) the appeal is by way of a hearing, the person hearing the appeal shall, unless he has been appointed to determine the appeal under regulation 28(1)(a), make a written report to the appropriate authority which shall include his conclusions and recommendations or his reasons for not making any recommendations.

4.—(1) The appropriate authority or other person determining an appeal shall notify the appellant in writing of its or his decision and the reasons for the decision.

(2) If the appropriate authority determines an appeal after a hearing under regulation 28(2), it shall provide the appellant with a copy of any report made to him under paragraph 3 above.

(3) The appropriate authority or other person determining an appeal shall, at the same time as notifying the appellant of his decision, send the appropriate Agency a copy of any document sent to the appellant under this paragraph.

Changes to legislation:

There are currently no known outstanding effects for the The Producer Responsibility Obligations (Packaging Waste) Regulations 2007, SCHEDULE 6.