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STATUTORY INSTRUMENTS

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**2008 No. 41**

**The Fluorinated Greenhouse Gases Regulations 2008**

**PART 4**

**Enforcement, offences and penalties**

**Appeals against enforcement or prohibition notices**

**25.**—(1) A person who is aggrieved by an enforcement notice or a prohibition notice may appeal to a magistrates' court or, in Scotland, to the sheriff.

(2) The procedure on an appeal to a magistrates' court is by way of complaint, and the Magistrates' Courts Act 1980 applies to the proceedings.

(3) An appeal to the sheriff is by summary application.

(4) An appeal may be brought not later than 28 days after the date in which the enforcement notice or the prohibition notice in question is served.

(5) An enforcement notice or prohibition notice must state —

(a) that the person on whom the notice in question is served has the right of appeal to a magistrates' court or the sheriff; and

(b) the period in which the appeal may be brought.

(6) The court may suspend an enforcement notice or prohibition notice pending an appeal.