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WELSH STATUTORY INSTRUMENTS

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**2009 No. 793**

**The Eggs and Chicks (Wales) Regulations 2009**

**PART 4**

Miscellaneous provisions

**Appeals**

**18.**—(1) Any person who is aggrieved by a decision specified in paragraph (2) may appeal against that decision to a magistrates' court.

(2) A specified decision for the purpose of paragraph (1) is—

- (a) a decision by the Welsh Ministers to refuse to register an establishment as a pedigree breeding establishment, other breeding establishment or hatchery under Article 2(1) of Commission Regulation (EC) No. 617/2008, or to withdraw such a registration;
- (b) a decision by the Welsh Ministers to refuse to authorise an undertaking as a packing centre to grade eggs under the first sub-paragraph of Article 5(2) of Commission Regulation (EC) No. 589/2008, or to withdraw such an authorisation; and
- (c) a decision by an authorised officer to seize any computer or associated equipment under regulation 13(4).

(3) Section 37(3), (5) and (6) of the Act has effect in relation to an appeal under this regulation as it has effect in relation to an appeal under that section, but with the omission—

- (a) in subsection (3), of the words “, or an appeal to such a court for which provision is made by regulations under Part II of this Act,”;
- (b) of subsection (5)(b), and the word “or” immediately preceding it; and
- (c) in subsection (6)(a), of the words “or to the sheriff”.

(4) The withdrawal of an authorisation or registration referred to in paragraph (2) do not take effect until the time for appealing against it has expired, and, if an appeal is lodged, until the appeal is finally disposed of, withdrawn or struck out for want of prosecution.