
WELSH STATUTORY INSTRUMENTS

2011 No. 925

**The Marine Licensing (Appeals Against
Licensing Decisions) (Wales) Regulations 2011**

PART 2

Appeals — general

Appeal against marine licensing decisions

4.—(1) A person who has applied for a marine licence may by notice appeal to the Welsh Ministers against a decision taken under section 71 of the Act (refusal of licence or grant subject to conditions etc).

(2) Appeals must be made in accordance with these Regulations.

Determination by appointed person

5.—(1) The Welsh Ministers must appoint a person (“the appointed person”) to —

- (a) determine, upon receipt of a notice of appeal pursuant to regulation 4(1), whether the notice received is a valid notice of appeal and if so;
- (b) determine the appeal.

(2) Appeals must be determined in accordance with these Regulations.

(3) An appointment under paragraph (1)—

- (a) must be in writing;
- (b) may relate to any particular appeal specified in the appointment or to appeals of a class or description so specified;
- (c) may be subject to such conditions as may be specified in the appointment;
- (d) may provide for payment to be made to the appointed person.

(4) In respect of any appeal that has not been determined the Welsh Ministers may revoke an appointment under paragraph (1) if they are—

- (a) notified in writing by the appointed person; or
- (b) are otherwise satisfied;

that the appointed person is unable to carry out the requirements of paragraph (1).

(5) Where an appointment is so revoked in respect of any appeal, the Welsh Ministers must, as soon as practicable, appoint another person under paragraph (1) to determine the appeal.

(6) Where a new appointment is made, the consideration of the appeal, or any hearing or inquiry in connection with it, must be begun afresh.

(7) But nothing in paragraph (6) requires any person to be given an opportunity to make fresh representations or comments or to modify or withdraw any representations or comments already made.