

*Status: This version of this provision is prospective.*

*Changes to legislation: Public Health (Wales) Act 2017, Section 73 is up to date with all changes known to be in force on or before 06 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*



# Public Health (Wales) Act 2017

2017 anaw 2

## PART 4

### SPECIAL PROCEDURES

#### *Approved premises and vehicles*

PROSPECTIVE

#### **73 Revocation of approval**

- (1) If a local authority is satisfied that both of the conditions in subsection (2) are met, it may give notice to a person (“P”) on whose application premises or a vehicle have been approved under section 70 by the authority, revoking the approval of the premises or vehicle under that section in respect of a special procedure specified in the notice.
- (2) The conditions are—
  - (a) that the mandatory approval conditions that apply in respect of the premises or vehicle have not been complied with, and
  - (b) that the non-compliance presents, or could present, significant risk of harm to human health.
- (3) Paragraphs 15 to 21 of Schedule 3 apply in respect of a revocation under this section as if the revocation were a revocation under section 68 (revocation of special procedure licence) and for this purpose references in those paragraphs—
  - (a) to a licence holder, are to be treated as references to P;
  - (b) to notice given under section 68, are to be treated as references to notice under subsection (1);
  - (c) to functions under section 68, are to be treated as references to functions under this section.
- (4) Revocation under this section has effect—

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- (a) with the expiry of the period for bringing an appeal under Schedule 3 in respect of the revocation expires, if no appeal is brought under that Schedule within that period;
- (b) with the date of the withdrawal of any appeal or further appeal brought in respect of the revocation, or the date of final determination of any unsuccessful appeal or further appeal brought in respect of the revocation, where the appeal or further appeal has been brought under Schedule 3 and no further appeal under that Schedule is available;
- (c) with the expiry of the period for bringing a further appeal under Schedule 3, where an appeal brought under Schedule 3 in respect of the revocation is withdrawn or unsuccessful, and a further appeal under Schedule 3 is available but is not brought within that period.

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/949, art. 3 by [S.I. 2017/967 art. 2](#)