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STATUTORY RULES OF NORTHERN IRELAND

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**1999 No. 115**

**The Producer Responsibility Obligations (Packaging Waste) Regulations (Northern Ireland) 1999**

**PART IV**

**REGISTRATION OF SCHEMES — APPEALS**

**Right of appeal**

**18.** The operator of a scheme may appeal to the Planning Appeals Commission against a decision of the Department—

- (a) to refuse registration under regulation 12(5), except where the refusal arises from failure to comply with regulation 12(4); or
- (b) to cancel registration under regulation 17(1).

**Procedure of appeals**

**19.—(1)** Where an appeal is made to the Planning Appeals Commission, if the operator of the scheme so requests, or the Planning Appeals Commission so decides, the appeal shall be or continue in the form of a hearing (which may, if the person hearing the appeal so decides, be held or held to any extent in private).

- (2) Schedule 5 shall have effect with respect to the procedure on any such appeal.

**Determination of appeals**

**20.** Where, on such an appeal, the Planning Appeals Commission determines that the decision of the Department shall be altered it shall be the duty of the Department to give effect to the determination.

**Status pending appeal**

**21.** Where an appeal is pending in a case falling within regulation 17(1), the decision to cancel registration shall be ineffective until the appeal is disposed of; and if the appeal is dismissed or withdrawn the decision shall become effective from end of the day on which the appeal is dismissed or withdrawn.