

## **111. Appeal**

- (1) Where the Commissioner —
- (a) under section 109, refuses the application of a person for a licence; or
  - (b) under section 110, cancels the licence of a person,

the Commissioner shall give to that person reasons for the refusal or cancellation, and that person may, within 42 days after the reasons are so given, appeal to a Local Court.

- (2) A Local Court to which an appeal is made under subsection (1) has jurisdiction to hear and determine the appeal and —
- (a) the appeal shall be brought and the proceedings conducted in such manner as may be prescribed by the rules of court in relation to appeals against the decision of a tribunal, or if in relation to any such matter no such rules of court are applicable, in such manner as may be directed by the court; and
  - (b) the appeal shall, unless the court otherwise orders, be in the nature of a rehearing.
- (3) A Local Court hearing an appeal under this section may —
- (a) confirm or quash the decision appealed against;
  - (b) remit the matter to the Commissioner, with or without directions;
  - (c) make such other order, including an order as to costs, as the court thinks fit,

and effect shall be given to an order made under this subsection.

*[Section 111 inserted by No. 19 of 1985 s.17; amended by No. 57 of 1997 s.113(3).]*