
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 28

The Emissions Performance Standard Monitoring and
Enforcement Regulations (Northern Ireland) 2016

PART 2

Monitoring and enforcement

Appeals

12.—(1) An operator may appeal to the Planning Appeals Commission (“the appeals commission”) against—

- (a) an enforcement notice;
- (b) a civil penalty notice.

(2) The grounds on which an enforcement or civil penalty notice may be appealed are that it was—

- (a) based on an error of fact;
- (b) wrong in law;
- (c) unreasonable.

(3) Where an operator appeals, any enforcement notice or civil penalty notice subject to that appeal is suspended until the appeal is determined by the appeals commission.

(4) The appeals commission may affirm, quash or vary the terms of the enforcement notice or civil penalty notice.

(5) The Schedule has effect in relation to the making and determination of an appeal to the appeals commission.