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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

**The Single Use Carrier Bags Charges (England) Order 2015**

**PART 4**

Sanctions, appeals etc.

**Appeals**

**16.**—(1) A seller may appeal on any ground to the First-tier Tribunal<sup>(1)</sup> against an administrator's decision to—

- (a) impose a fixed monetary penalty under article 9(1);
- (b) impose a discretionary requirement under article 10(1);
- (c) impose a non-compliance penalty under article 11(1);
- (d) require payment of costs under article 12(1).

(2) A requirement or notice which is the subject of an appeal is suspended pending the determination or withdrawal of the appeal.

(3) The First-tier Tribunal may, in relation to the imposition of a requirement or service of a notice under this Order—

- (a) withdraw the requirement or notice;
- (b) confirm the requirement or notice;
- (c) take such steps as the administrator could have taken in relation to the act or omission giving rise to the requirement or notice;
- (d) remit the decision whether to confirm the requirement or notice, or any matter relating to that decision, to the administrator.

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(1) Appeals are assigned to the General Regulatory Chamber of the First-tier Tribunal by virtue of article 5B(a) of the First-tier Tribunal and Upper Tribunal (Chambers) Order 2008 (S.I. 2008/2684, amended by S.I. 2009/196, 2009/1021, 2009/1590). The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (S.I. 2009/1976) sets out procedural rules relating to such appeals.