

*These notes refer to the Legal Services Act 2007 (c.29)
which received Royal Assent on 30th October 2007*

LEGAL SERVICES ACT 2007

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5: Alternative Business Structures

Background

Section 96: Appeals against financial penalties

257. Licensed bodies may appeal to the relevant appellate body (defined in section 111) against financial penalties. Appeals have to be made within a deadline set by the Board in rules. There are limited grounds for appeal, (*section 96(2)*):
- that the imposition of the penalty was unreasonable in all the circumstances,
 - that the amount of the penalty was unreasonable, and
 - that the payment timetable was unreasonable.
258. The appellate body can quash the penalty, reduce it, or change the payment timetable (*section 96(3)*). If it reduces the penalty or changes the timetable, it may add interest to the whole of the penalty or part of it (*sections 96(4) and 96(5)*). Further appeals to the High Court on a point of law are possible under *section 96(6)*, and the High Court can then make any order it thinks fit (*section 96(7)*). *Section 96(8)* prevents penalties being challenged by any other means.