



Apprenticeships, Skills, Children and Learning Act 2009

2009 CHAPTER 22

PART 7

THE OFFICE OF QUALIFICATIONS AND EXAMINATIONS REGULATION

CHAPTER 2

FUNCTIONS IN RELATION TO QUALIFICATIONS

Recognised bodies: monitoring and enforcement

[^{F1}151C Monetary penalties: appeals

- (1) A recognised body may appeal to the First-tier Tribunal against—
 - (a) a decision to impose a monetary penalty on the body under section 151A;
 - (b) a decision as to the amount of the penalty.
- (2) An appeal under this section may be made on the grounds—
 - (a) that the decision was based on an error of fact;
 - (b) that the decision was wrong in law;
 - (c) that the decision was unreasonable.
- (3) The requirement to pay the penalty is suspended pending the determination of an appeal under this section.
- (4) On an appeal under this section the Tribunal may—
 - (a) withdraw the requirement to pay the penalty;
 - (b) confirm that requirement;
 - (c) vary that requirement;

Changes to legislation: Apprenticeships, Skills, Children and Learning Act 2009, Section 151C is up to date with all changes known to be in force on or before 13 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (d) take such steps as Ofqual could take in relation to the failure to comply giving rise to the decision to impose the requirement;
- (e) remit the decision whether to confirm the requirement to pay the penalty, or any matter relating to that decision, to Ofqual.]

Textual Amendments

F1 Ss. 151A-151D inserted (1.5.2012) by [Education Act 2011 \(c. 21\)](#), ss. **23(3)**, 82(3); S.I. 2012/924, art. 3

Changes to legislation:

Apprenticeships, Skills, Children and Learning Act 2009, Section 151C is up to date with all changes known to be in force on or before 13 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Commencement Orders yet to be applied to the Apprenticeships, Skills, Children and Learning Act 2009

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/3341 art. 2](#) commences (2009 c. 22)
- [S.I. 2010/2413 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/829 art. 2](#) commences (2009 c. 22)
- [S.I. 2011/882 art. 2](#) amendment to earlier commencing SI 2010/303 art. 7 Sch. 6