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**Changes to legislation:** Energy Act 2013, Cross Heading: Appeal against improvement or prohibition notice is up to date with all changes known to be in force on or before 21 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

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## SCHEDULES

### SCHEDULE 8

#### INSPECTORS

##### **Modifications etc. (not altering text)**

- C1** Sch. 8 modified (1.4.2014) by The Energy Act 2013 (Office for Nuclear Regulation) (Consequential Amendments, Transitional Provisions and Savings) Order 2014 (S.I. 2014/469), art. 1(2), Sch. 1 para. 5(2) **Sch. 1 para. 5(3)(b)** (with Sch. 1 paras. 6, 4)

#### **PART 2**

##### POWERS EXERCISABLE BY INSPECTORS AUTHORISED BY INSTRUMENT OF APPOINTMENT: IMPROVEMENT NOTICES AND PROHIBITION NOTICES

##### *Appeal against improvement or prohibition notice*

- 6 (1) In this paragraph “a notice” means an improvement notice or a prohibition notice.
- (2) A person to whom a notice is given may appeal within such period after the notice is given as may be prescribed by regulations made by the Secretary of State (“the prescribed period”).
- (3) An appeal under this paragraph lies to an employment tribunal.
- (4) On an appeal, the tribunal may—
- (a) cancel the notice, or
  - (b) confirm it—
    - (i) in its original form, or
    - (ii) with such modifications as, in the circumstances, the tribunal considers appropriate.
- (5) Where an appeal under this paragraph is brought against an improvement notice within the prescribed period, the operation of the notice is suspended until the appeal is withdrawn or finally disposed of.
- (6) Where—
- (a) an appeal under this paragraph is brought against a prohibition notice within the prescribed period, and
  - (b) on the application of the appellant, the tribunal so directs,
- the operation of the notice is suspended from the time the direction is given until the appeal is withdrawn or finally disposed of.
- (7) One or more assessors may be appointed for the purposes of any proceedings brought before an employment tribunal under this paragraph.

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#### **Commencement Information**

**II** [Sch. 8 para. 6](#) in force at 1.4.2014 by [S.I. 2014/251](#), [art. 4](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)