
STATUTORY INSTRUMENTS

2011 No. 936

The Marine Licensing (Notices Appeals) Regulations 2011

Appeals – further provisions

5.—(1) In any appeal the burden of proof is on the licensing authority or enforcement authority (as appropriate), and—

- (a) where a question to be decided on the appeal is whether an offence has been committed, the authority must prove the commission of the offence beyond reasonable doubt;
- (b) in respect of any other issue to be decided on the appeal, the First-tier Tribunal is to determine the standard of proof.

(2) The First-tier Tribunal may—

- (a) withdraw the notice or any requirement contained in it;
- (b) confirm the notice or any requirement contained in it;
- (c) vary the notice or any requirement contained in it;
- (d) take such steps as the licensing authority or enforcement authority (as appropriate) could take in relation to the act or omission giving rise to the notice; or
- (e) remit the decision whether to confirm the notice, or any matter relating to that decision, to the licensing authority or enforcement authority (as appropriate).

(3) Where a notice revoking a marine licence is withdrawn under paragraph (2), the licence is to be treated as never having been revoked by that notice.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Marine Licensing (Notices Appeals) Regulations 2011. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Regulations applied (with modifications) by [S.I. 2014/2555 art. 10\(2\)](#)