
STATUTORY INSTRUMENTS

2013 No. 1460

**The Accession of Croatia (Immigration and
Worker Authorisation) Regulations 2013**

PART 4

PENALTIES AND OFFENCES

Unauthorised employment of accession State national - penalty for employer - objection

12.—(1) This regulation applies where an employer to whom a penalty notice is given objects on the ground that—

- (a) he is not liable to the imposition of a penalty;
- (b) he is excused payment by virtue of regulation 11(5); or
- (c) the amount of the penalty is too high.

(2) The employer may give a notice of objection to the Secretary of State.

(3) A notice of objection shall—

- (a) be in writing;
- (b) give the full grounds of objection;
- (c) give the reference number of the notice given under regulation 11(4);
- (d) give the name and address of the head or main office of the employer;
- (e) give the name and address of the employee in respect of whom the penalty was issued;
- (f) contain details of any appeal made by the employer under regulation 13; and
- (g) be given within 28 days, beginning with the date specified in the penalty notice as the date on which it was given.

(4) Where the Secretary of State receives a notice of objection to a penalty she shall consider it and—

- (a) cancel the penalty;
- (b) reduce the penalty;
- (c) increase the penalty; or
- (d) determine to take no action.

(5) Where the Secretary of State considers a notice of objection she shall—

- (a) have regard to any code of practice issued under regulation 11(9) (in so far as the objection relates to the amount of the penalty);
- (b) inform the objector in writing of her decision within 28 days, beginning with the date on which the notice of objection was given to the Secretary of State, or such longer period as she may agree with the objector;
- (c) if she increases the penalty, issue a new penalty notice under regulation 11; and

(d) if she reduces the penalty, notify the objector of the reduced amount.