19.—(1) This regulation applies where (and only to the extent that) a complaint under regulation 17 alleges that a public sector body has either—
(a) failed to comply with regulation 15(5); or
(b) applied regulation 15(5) in a case where regulation 15(3)(a) or (b) does not apply.

(2) The relevant enforcement and appeals provisions of the 2000 Act apply for the purposes of this Regulation as they apply for the purposes of the 2000 Act, but with the modifications in paragraph (4) of this regulation.

(3) In this regulation, “the relevant enforcement and appeals provisions of the 2000 Act” means the following sections of the 2000 Act—
(a) section 50 (application for decision by Commissioner);
(b) section 56 (no action against public authority);
(c) section 57 (appeal against notices served under Part IV);
(d) section 58 (determination of appeals).

(4) The relevant enforcement and appeals provisions of the 2000 Act apply as mentioned in paragraph (2) as if—
(a) for any reference to “public authority”, “an authority” or “the authority”, there were substituted a reference to “public sector body”, “a body” or “the body” respectively;
(b) for any reference to “decision” or “decision notice” (including in the heading of section 50 but excluding any reference in text treated as inserted by this regulation), there were substituted a reference to “recommendation” or “recommendation notice”, as the case may be;
(c) in section 50—
(i) in subsection (1)—
(aa) for “information” there were substituted “re-use”;
(bb) for “Part I” there were substituted “the Re-use of Public Sector Information Regulations 2015”;
(ii) in subsection (2)(a), the words “in conformity with the code of practice under section 45” were omitted;
(iii) for subsections (4) to (7), there were substituted the following—
“(4) Where a recommendation notice has been served, the public sector body shall—
(a) decide what action, if any, it will take as a result of the recommendation and the date by which any such action will be taken; and
(b) notify the Commissioner and the complainant of its decision and the reasons for it.
(5) Action referred to in subsection (4) may include (but is not limited to)—
   
   (a) reaffirming, varying or substituting any response by the public sector body
to the complainant’s request for re-use; or

   (b) taking no further steps.

(6) The public sector body must comply with subsection (4) promptly and in any
   event not later than the twentieth working day following the date of receipt by the
   public sector body of the recommendation.

(7) In this section “working day” means any day other than a Saturday, a Sunday,
    Christmas Day, Good Friday or a day which is a bank holiday under the Banking
    and Financial Dealings Act 1971 in any part of the United Kingdom.”;

(d) in section 56(1)—
   
   (i) for “by or under this Act” there were substituted “by the Re-use of Public Sector
       Information Regulations 2015”;

   (ii) subsection (2) were omitted;

(e) in section 57—
   
   (i) in the heading, after “served” there were inserted “and decisions notified”;

   (ii) subsection (1) were omitted;

   (iii) in subsection (2), for “information notice or an enforcement notice” there were
       substituted “recommendation notice”;

   (iv) for subsection (3), there were substituted the following —

       “(3) Where a public sector body has provided notification of its decision under
           section 50(4), the complainant may appeal to the First-tier Tribunal against the
           decision.

       (4) Where a public sector body has failed to provide a notification or its reasons
           under section 50(4) within the period referred to in section 50(6), the complainant
           may, without further delay, appeal to the First-tier Tribunal in respect of any matter
           complained of under section 50(1).”;

(f) in section 58—

   (i) in subsection (1), for “57” there were substituted “57(2)”;

   (ii) for subsection (2) there were substituted—

       “(2) If on an appeal under section 57(3) the Tribunal considers that the decision
           is not in accordance with the law, the Tribunal shall allow the appeal; and in any
           other case the Tribunal shall dismiss the appeal.

       (3) If on an appeal under section 57(4) the Tribunal considers that the request
           for re-use made by the complainant to the public sector body was not dealt with
           in accordance with regulation 15(5) of the Re-use of Public Sector
           Information Regulations 2015 or that the body applied that regulation in a case where
           regulation 15(3) (a) or (b) did not apply, the Tribunal shall allow the appeal; and in
           any other case the Tribunal shall dismiss the appeal.

       (4) On an appeal, the Tribunal may review any finding of fact on which the notice
           in question was based.”.