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STATUTORY INSTRUMENTS

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**2018 No. 800**

The Offshore Environmental Civil Sanctions Regulations 2018

PART 3

Variable monetary penalties

**Non-compliance penalties: appeals**

**19.**—(1) A person on whom a non-compliance penalty notice is served may appeal to the Tribunal against the decision to serve the notice on any of the following 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 unfair or unreasonable for any reason (including that the amount of the non-compliance penalty is unreasonable);
- (d) any other reason.

(2) Where an appeal is made against a decision to serve a non-compliance penalty notice, the non-compliance penalty is suspended until a decision is made by the Tribunal in respect of the appeal.

(3) On an appeal, the Tribunal may do any of the following—

- (a) confirm the amount of the non-compliance penalty;
- (b) reduce the amount of the non-compliance penalty;
- (c) set aside the decision to impose the non-compliance penalty;
- (d) award costs.