
STATUTORY INSTRUMENTS

2019 No. 421

The Alternative Fuel Labelling and Greenhouse Gas Emissions (Miscellaneous Amendments) Regulations 2019

PART 3

Enforcement

Appeals against civil penalties

17.—(1) A person who has received a notice referred to in regulation 16(2) may, within 28 days of the date of that notice, appeal to the First-tier Tribunal against the enforcement authority's decision made under regulation 16, on the grounds that the decision was—

- (a) based on an error of fact, or
- (b) wrong in law.

(2) An appeal may be brought only if the appellant has served a notice of objection and the enforcement authority has—

- (a) reduced the civil penalty under regulation 16(2)(b), or
- (b) upheld it under regulation 16(2)(c).

(3) Where a person appeals under this regulation, the amount of the civil penalty referred to in regulation 16(4)(a) is not payable until the appeal is finally determined or withdrawn.

(4) The First-tier Tribunal may—

- (a) dismiss the appeal and uphold the civil penalty,
- (b) cancel or reduce the civil penalty, or
- (c) remit the matter to the enforcement authority—

- (i) generally, or
- (ii) for determination in accordance with a finding made or direction given by the Tribunal.