



Qualifications Wales Act 2015

2015 anaw 5

PART 7

ENFORCEMENT POWERS OF QUALIFICATIONS WALES

39 Monetary penalties: appeals

- (1) An awarding body may appeal to the First-tier Tribunal against—
 - (a) a decision to impose a monetary penalty on the body under section 38;
 - (b) a decision as to the amount of the penalty.
- (2) An appeal under this section may be made on the ground—
 - (a) that the breach of condition in respect of which the monetary penalty was imposed did not occur, or
 - (b) that the decision was otherwise—
 - (i) based on an error of fact,
 - (ii) wrong in law, or
 - (iii) unreasonable.
- (3) If an appeal is made under this section, the requirement to pay the penalty is suspended until the appeal is withdrawn or determined.
- (4) On an appeal under this section the Tribunal may—
 - (a) withdraw the requirement to pay the penalty;
 - (b) confirm that requirement;
 - (c) vary that requirement;
 - (d) remit the decision whether to confirm the requirement to pay the penalty, or any matter relating to that decision, to Qualifications Wales.