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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

**The Community Benefit Societies (Restriction  
on Use of Assets) Regulations 2006**

**PART 4**

Enforcement measures

**Appeal**

**14.**—(1) If the Authority decides to exercise a power conferred by regulation 9, 10 or 11, the society and any officer in relation to whom it is exercised may appeal to the High Court or, in the case of a society or an officer of a society whose registered office is situated in Scotland, to the Court of Session.

(2) On an appeal from any decision of the Authority, the court has the power to—

- (a) quash or vary the decision of the Authority, including the power to reduce the amount of the payment required under regulation 10(1) to such amount as it thinks proper; and
- (b) substitute its own decision for any decision quashed on appeal.

(3) An appeal to the court must be made before the end of the period of 28 days beginning with the date on which the decision notice in question is given.

(4) A decision to exercise a power conferred by regulation 9, 10 or 11 is not to be treated as having any effect—

- (a) during the period within which an appeal may be brought; and
- (b) if the matter is the subject of an appeal, until the appeal has been finally disposed of.