
DRAFT STATUTORY INSTRUMENTS

2022 No.

**The Adult Social Care Information
(Enforcement) Regulations 2022**

Appeals

- 8.**—(1) A person to whom a final notice is given may appeal to the First-tier Tribunal against—
- (a) the decision to impose the penalty; or
 - (b) the amount of the penalty.
- (2) If a person appeals under this regulation, the final notice is suspended until the appeal is finally determined or withdrawn.
- (3) An appeal under this regulation—
- (a) is to be a re-hearing of the Secretary of State's decision; but
 - (b) may be determined having regard to matters of which the Secretary of State was unaware when the decision was made.
- (4) On an appeal under this regulation, the First-tier Tribunal may confirm, quash or vary the final notice.
- (5) The final notice may not be varied under paragraph (4) so as to impose a financial penalty which is not the amount determined in accordance with regulation 3.