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DRAFT STATUTORY INSTRUMENTS

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**2024 No.**

The Economic Crime and Corporate Transparency  
Act 2023 (Financial Penalty) Regulations 2024

PART 3

Appeals

**8.**—(1) Subject to paragraph (3), a person who has received a penalty notice under regulations 5 or 6(3) may appeal to the County Court or, in Scotland, the Sheriff Court on the grounds mentioned in paragraph (2).

(2) The grounds referred to in paragraph (1) are that the decision to issue a financial penalty, the level or type of financial penalty or any condition stated in the penalty notice—

- (a) is unlawful;
- (b) is irrational or unreasonable; or
- (c) has been made on the basis of a procedural impropriety or otherwise contravenes the rules of natural justice.

(3) No appeal may be brought unless the permission of the court has been obtained.

(4) No application for such permission may be made after 28 days beginning on the day after the date the penalty notice is given unless the court is satisfied that there was good reason for the failure of the applicant to seek permission before the end of that period.

(5) An applicant who seeks permission to appeal must serve written notice of the application on the registrar within 7 days beginning with the date on which the application for permission was issued. Such written notice must include a statement setting out the grounds on which the appeal is made.

(6) The court determining an appeal may—

- (a) dismiss the appeal;
- (b) vary the amount of the financial penalty;
- (c) change the nature of the financial penalty between a fixed penalty, a daily rate penalty or a combination of a fixed penalty and a daily rate penalty; or
- (d) quash the financial penalty in whole or in part.