

SCHEDULES

SCHEDULE 8

APPEALS

PART I

GENERAL

Decisions of the tribunal

- 3 (1) The tribunal must determine the appeal on the merits by reference to the grounds of appeal set out in the notice of appeal.
- (2) The tribunal may confirm or set aside the decision which is the subject of the appeal, or any part of it, and may—
- (a) remit the matter to the Director,
 - (b) impose or revoke, or vary the amount of, a penalty,
 - (c) grant or cancel an individual exemption or vary any conditions or obligations imposed in relation to the exemption by the Director,
 - (d) give such directions, or take such other steps, as the Director could himself have given or taken, or
 - (e) make any other decision which the Director could himself have made.
- (3) Any decision of the tribunal on an appeal has the same effect, and may be enforced in the same manner, as a decision of the Director.
- (4) If the tribunal confirms the decision which is the subject of the appeal it may nevertheless set aside any finding of fact on which the decision was based.
- 4 (1) A decision of the tribunal may be taken by a majority.
- (2) The decision must—
- (a) state whether it was unanimous or taken by a majority; and
 - (b) be recorded in a document which—
 - (i) contains a statement of the reasons for the decision; and
 - (ii) is signed and dated by the chairman of the tribunal.
- (3) When the tribunal is preparing the document mentioned in sub-paragraph (2)(b), section 56 is to apply to the tribunal as it applies to the Director.
- (4) The President must make such arrangements for the publication of the tribunal's decision as he considers appropriate.