

## SCHEDULES

### SCHEDULE 3

#### MONETARY PENALTIES: PROCEDURE, APPEALS AND RECOVERY ETC

##### *Appeals*

- 3 (1) The governing body of a provider may appeal to the First-tier Tribunal against—
- (a) a decision under section 15 to impose a monetary penalty on the provider;
  - (b) a decision as to the amount of the penalty.
- (2) An appeal under this paragraph may be made on the grounds—
- (a) that the decision was based on an error of fact;
  - (b) that the decision was wrong in law;
  - (c) that the decision was unreasonable.
- (3) On an appeal under this paragraph 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 the OfS.