
STATUTORY INSTRUMENTS

2007 No. 991

The Energy Performance of Buildings (Certificates and Inspections) (England and Wales) Regulations 2007

PART 7

Enforcement

Reviews

44.—(1) If, within the period specified under regulation 40(3)(c) (or that period as extended under regulation 40(5)), the recipient of the penalty charge notice gives notice to the enforcement authority requesting a review, the authority shall—

- (a) consider any representations made by the recipient and all other circumstances of the case;
- (b) decide whether to confirm or withdraw the notice; and
- (c) give notice of their decision to the recipient.

(2) A notice confirming the penalty charge notice must also state the effect of regulations 45 and 46.

(3) If the authority are not satisfied that—

- (a) the recipient committed the breach of duty specified in the notice;
- (b) the notice was given within the time allowed by regulation 40(2) and complies with the other requirements imposed by these Regulations; and
- (c) in the circumstances of the case it was appropriate for a penalty charge notice to be given to the recipient,

they shall withdraw the penalty charge notice.