

SCHEDULES

SCHEDULE 11

FURTHER PROVISION ABOUT MONITOR’S ENFORCEMENT POWERS

PART 1

DISCRETIONARY REQUIREMENTS

Non-compliance penalties

- 6 (1) A person may appeal to the First-tier Tribunal against a decision of Monitor to impose a non-compliance penalty.
- (2) The grounds for such an appeal are—
- (a) that the decision was based on an error of fact,
 - (b) that the decision was wrong in law, or
 - (c) that the decision was, or the amount of the penalty is, unfair or unreasonable.
- (3) The non-compliance penalty is suspended pending determination of the appeal.
- (4) On an appeal, the Tribunal may—
- (a) confirm, vary or withdraw the non-compliance penalty, or
 - (b) remit the decision whether to confirm the penalty, or any matter relating to that decision, to Monitor.