
STATUTORY INSTRUMENTS

2015 No. 776

The Single Use Carrier Bags Charges (England) Order 2015

PART 4

Sanctions, appeals etc.

Appeals

16.—(1) A seller may appeal on any ground to the First-tier Tribunal⁽¹⁾ against an administrator's decision to—

- (a) impose a fixed monetary penalty under article 9(1);
- (b) impose a discretionary requirement under article 10(1);
- (c) impose a non-compliance penalty under article 11(1);
- (d) require payment of costs under article 12(1).

(2) A requirement or notice which is the subject of an appeal is suspended pending the determination or withdrawal of the appeal.

(3) The First-tier Tribunal may, in relation to the imposition of a requirement or service of a notice under this Order—

- (a) withdraw the requirement or notice;
- (b) confirm the requirement or notice;
- (c) take such steps as the administrator could have taken in relation to the act or omission giving rise to the requirement or notice;
- (d) remit the decision whether to confirm the requirement or notice, or any matter relating to that decision, to the administrator.

(1) Appeals are assigned to the General Regulatory Chamber of the First-tier Tribunal by virtue of article 5B(a) of the First-tier Tribunal and Upper Tribunal (Chambers) Order 2008 (S.I. 2008/2684, amended by S.I. 2009/196, 2009/1021, 2009/1590). The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (S.I. 2009/1976) sets out procedural rules relating to such appeals.