
STATUTORY RULES OF NORTHERN IRELAND

2008 No. 170

**The Energy Performance of Buildings (Certificates
and Inspections) Regulations (Northern Ireland) 2008**

PART 7

ENFORCEMENT

Reviews

36.—(1) If, within the period specified under regulation 33(3)(c) (or that period as extended under regulation 33(5)), the recipient of the penalty charge notice gives notice to the enforcement authority requesting a review, the enforcement 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,

within a reasonable period.

(2) A notice confirming the penalty charge notice must also state the effect of regulations 37 and 38.

(3) If the enforcement authority is 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 33(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,

it shall withdraw the penalty charge notice.

Commencement Information

II Reg. 36 in operation at 30.6.2008, see **reg. 1(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Energy Performance of Buildings (Certificates and Inspections) Regulations (Northern Ireland) 2008, Section 36.