

# SCHEDULES

## SCHEDULE 1

### CIVIL SANCTIONS

#### PART 1

#### MONETARY PENALTIES

##### *Representations and appeals etc*

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- (1) Where the Secretary of State proposes to impose a monetary penalty on a person, the Secretary of State must serve on the person a notice of what is proposed.
  - (2) A notice under sub-paragraph (1) must offer the person the opportunity to discharge the person's liability for the monetary penalty by payment of a sum specified in the notice (which must be less than or equal to the amount of the penalty).
  - (3) The person may make written representations and objections to the Secretary of State in relation to the proposed imposition of the monetary penalty.
  - (4) After the end of the period for making such representations and objections (see paragraph 3(2)) the Secretary of State must decide whether to impose the monetary penalty.
  - (5) The Secretary of State may not impose a monetary penalty on a person—
    - (a) if, taking into account (in particular) any matter raised by the person, the Secretary of State is no longer satisfied as mentioned in paragraph 1(1), or
    - (b) in prescribed circumstances.
  - (6) A person on whom a monetary penalty is imposed may appeal against the decision to impose the penalty on the ground—
    - (a) that the decision was based on an error of fact,
    - (b) that the decision was wrong in law,
    - (c) that the amount of the penalty is unreasonable, or
    - (d) that the decision is unreasonable for any other reason,or on any other grounds that are prescribed.
  - (7) An appeal under sub-paragraph (6) is to the First-tier Tribunal.