
STATUTORY INSTRUMENTS

2005 No. 925

**The Greenhouse Gas Emissions
Trading Scheme Regulations 2005**

PART 5

APPEALS

Appeals for reconsideration of decisions

33.—(1) A person who is aggrieved by a decision or notice under regulation 27(4), (8) or (14) or the terms of a notice pursuant to regulation 27(16) or (17) may appeal to the appropriate authority.

(2) A person who is aggrieved by—

- (a) a certificate or notice served under regulation 11(6), (9) or (11); or
- (b) a notice served by the responsible authority under regulation 21(6),

may appeal to the responsible authority.

(3) A person who is aggrieved by—

- (a) a supplementary decision under regulation 25(7); or
- (b) a notice served by the Secretary of State under regulation 21(6),

may appeal to the Secretary of State.

(4) Where an appeal is made under this regulation, the appeal body shall reconsider its decision and may affirm, reverse, or vary its decision.

(5) Where an appeal is made under—

- (a) paragraph (1) against a notice under regulation 27(16) or (17); or
- (b) paragraph (2) or (3)(b),

the bringing of the appeal shall not have the effect of suspending the certificate or notice.

(6) Where an appeal is made under—

- (a) paragraph (3)(a); or
- (b) paragraph (1) against a notice under regulation 27(14),

the decision or notice to which the appeal relates shall not take effect pending the final determination or withdrawal of the appeal.