

## SCHEDULE 9

### Appeals to Scottish Land Court

1.—(1) A person who wishes to appeal to the Scottish Land Court under article 70 against a decision of the regulator must—

- (a) send the appropriate form to the Scottish Land Court together with the documents referred to in sub-paragraph (2);
- (b) at the same time, send a copy of that form to the regulator together with copies of the documents referred to in sub-paragraph (2)(a) and (f).

(2) The documents are—

- (a) a statement of the grounds of appeal;
- (b) a copy of any relevant application;
- (c) a copy of any relevant plan;
- (d) a copy of any relevant correspondence between the appellant and the regulator;
- (e) a copy of any notice (or particulars of any deemed refusal) which is the subject matter of the appeal;
- (f) a statement indicating whether the appellant wishes the appeal to be—
  - (i) in the form of a hearing; or
  - (ii) to be disposed of on the basis of written representations.

(3) An appeal to the Scottish Land Court may be made on one or more of the following grounds—

- (a) the decision or notice was based on an error of fact;
- (b) the decision or notice was wrong in law;
- (c) the decision or notice was unreasonable for any other reason (including that the amount of a penalty was unreasonable);
- (d) any other reason.

(4) In this Schedule—

“appropriate form” has the meaning given in rule 3 of the Rules of the Scottish Land Court Order 2014(1);

“decision” includes a deemed refusal under this Order.