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STATUTORY INSTRUMENTS

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**2022 No. 565**

**The Boiler Upgrade Scheme (England  
and Wales) Regulations 2022**

**PART 6**

**Additional powers and functions of the Authority**

**Right of review**

**25.**—(1) Any installer, or person who has made an application as an installer, affected by a decision made by the Authority in exercise of its functions under these Regulations (other than a decision made in accordance with regulation 19, 20(1) or this regulation) may have that decision reviewed by the Authority.

(2) An application for review must be made by notice in such format as the Authority may require and must—

- (a) be received by the Authority within 28 days of the date of notification of the decision to be reviewed,
- (b) specify the decision which that person wishes to be reviewed,
- (c) specify the grounds and evidence upon which the application is made, and
- (d) be signed by or on behalf of the person making the application.

(3) A person who has made an application in accordance with paragraph (2) must provide the Authority with such information as the Authority may reasonably request in order to discharge its functions under this regulation, provided any information requested is in that person's possession.

(4) A review under this regulation may not be carried out by any person who was involved in the decision which is being reviewed.

(5) On review the Authority may—

- (a) revoke or vary its decision,
- (b) confirm its decision,
- (c) vary any sanction it has imposed (including modifying any date specified for the purposes of regulation 22(3)(d)), or
- (d) replace any sanction it has imposed with one or more alternative sanctions.

(6) Within 21 days of the Authority's decision on a review, it must send a notice to the installer or former installer (as the case may be), and to any other person who is in the Authority's opinion affected by its decision, setting out its decision with reasons.

(7) Where an application is made under paragraph (1) for a decision to be reviewed, that decision will be suspended until a decision is made under paragraph (5).