
STATUTORY INSTRUMENTS

2023 No. 906

The Building (Approved Inspectors etc. and
Review of Decisions) (England) Regulations 2023

PART 2

Registration etc.

Appeal in relation to reviewed decisions

5.—(1) A person may appeal to the First-tier Tribunal against the decision of the regulator of a kind referred to in regulation 4(1) (review of regulator's decisions under Part 2A of the Act) provided that the appeal is made within 21 relevant days beginning with the day after the day on which the regulator notifies the person under regulation 4(4)(1).

(2) The First-tier Tribunal may allow an appeal under paragraph (1) only if it is satisfied that the decision appealed against was wrong on one or more of the following grounds—

- (a) that the decision was based on an error of fact;
- (b) that the decision was wrong in law;
- (c) that the decision was unreasonable;
- (d) that the decision was made without following the procedures set out in the Act or regulations made under the Act.

(3) If the First-tier Tribunal allows an appeal it may quash or vary the decision.

(1) Section 26 of the Building Safety Act 2022 provides that a review under section 25 must have concluded before an appeal is made.