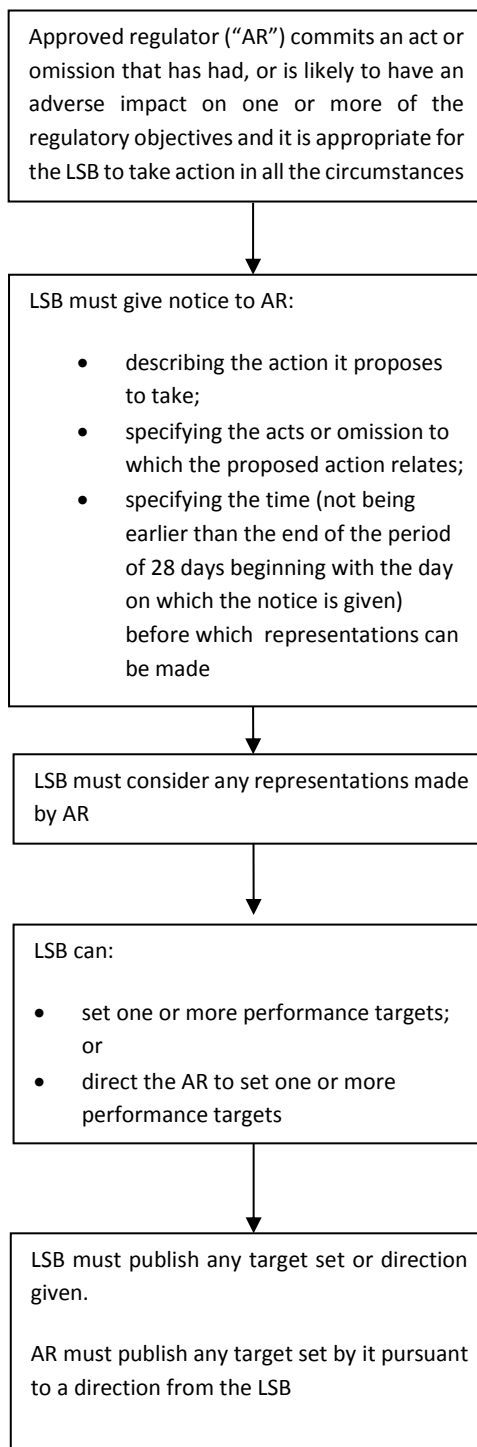


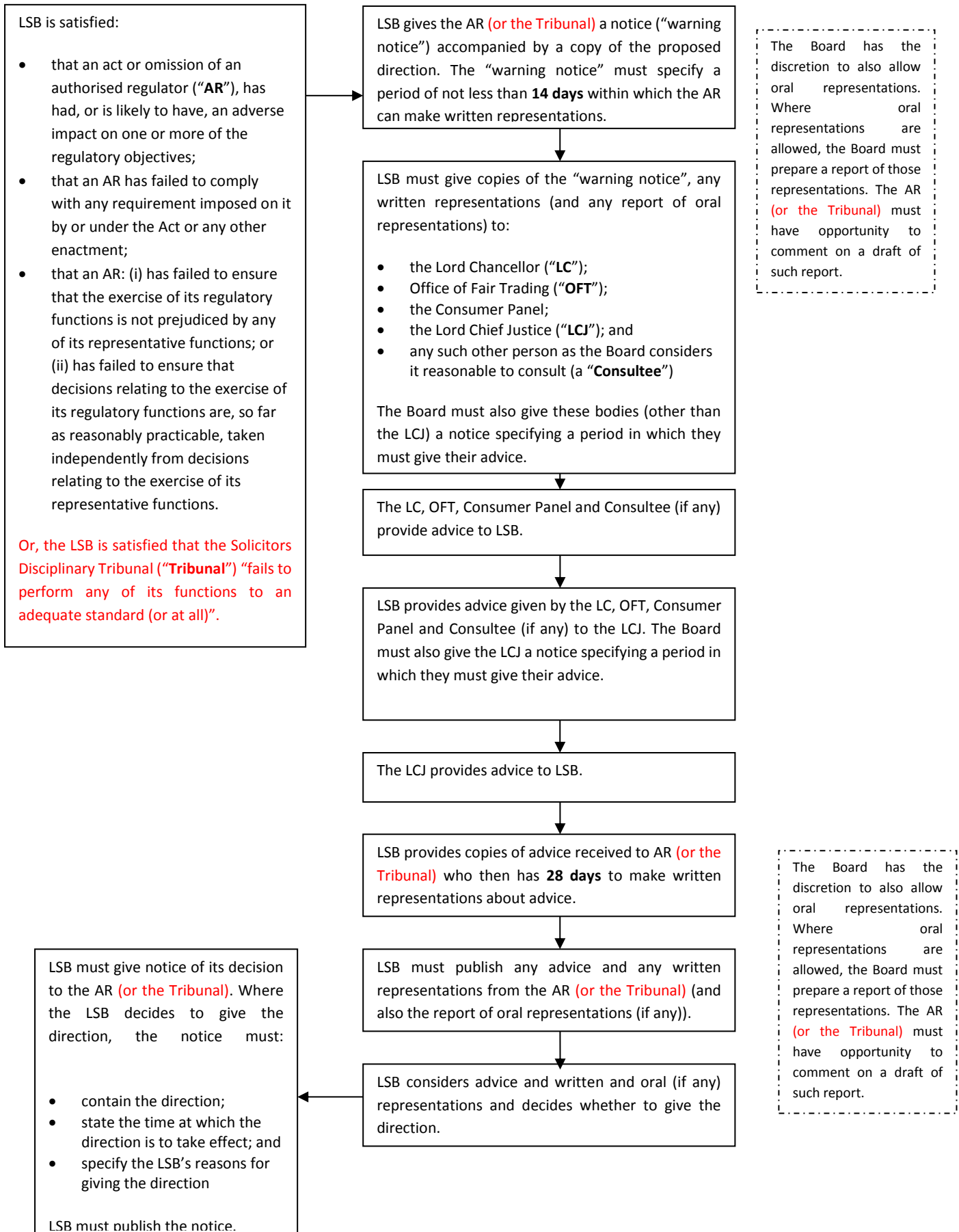
Enforcement process flowcharts

Note: Appeals processes shown are those set out in the Act

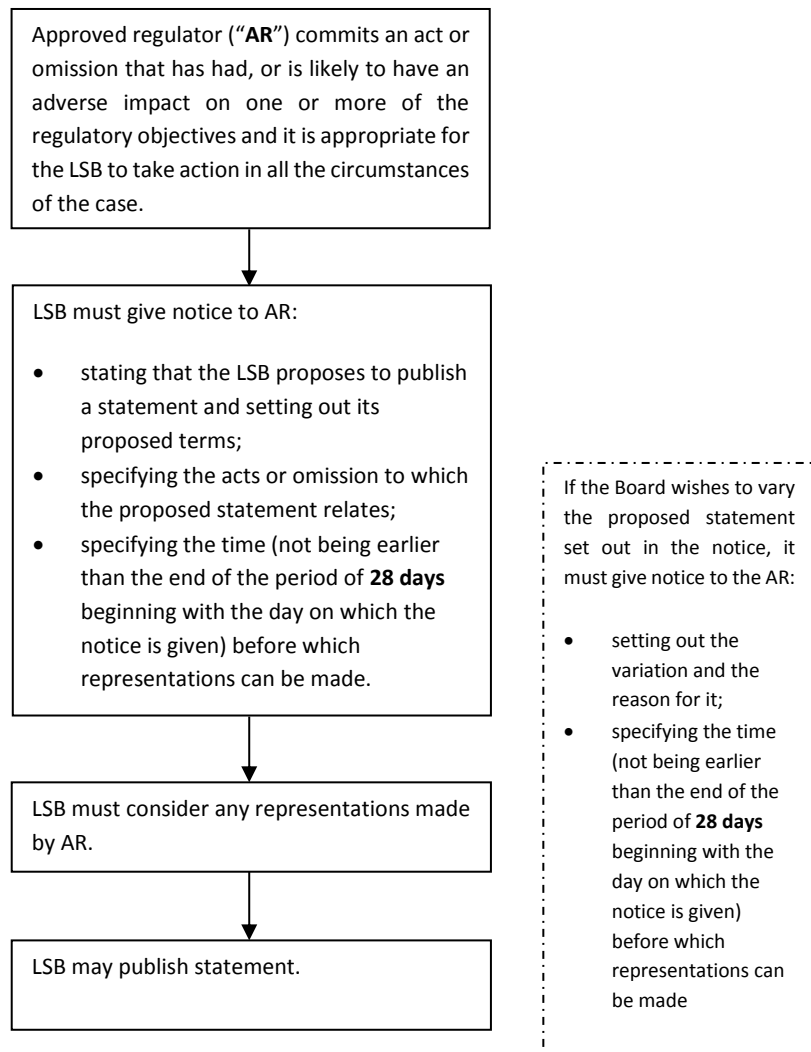
Performance targets and monitoring (Section 31)



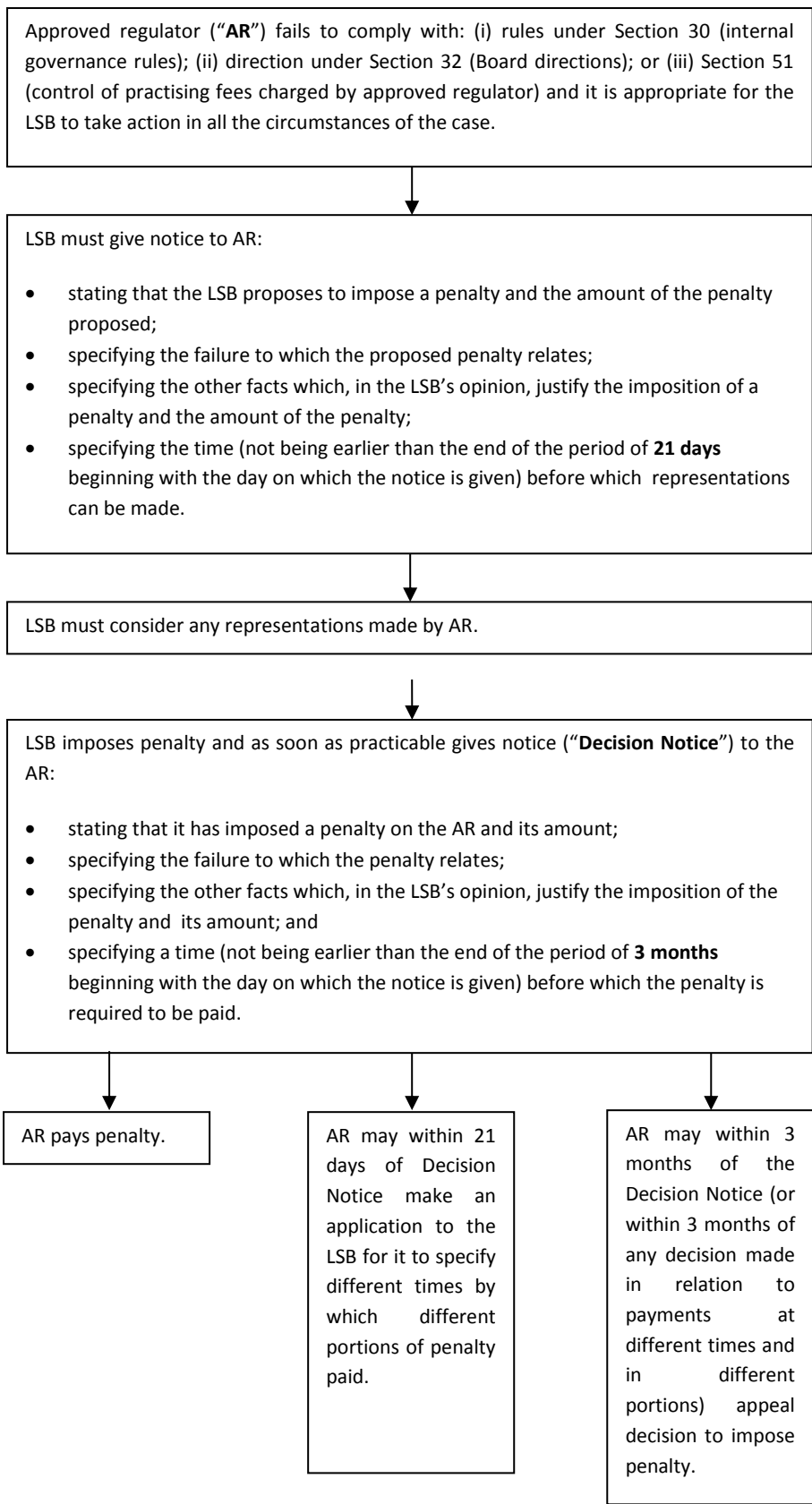
Directions (Section 32)



Public censure (Section 35)



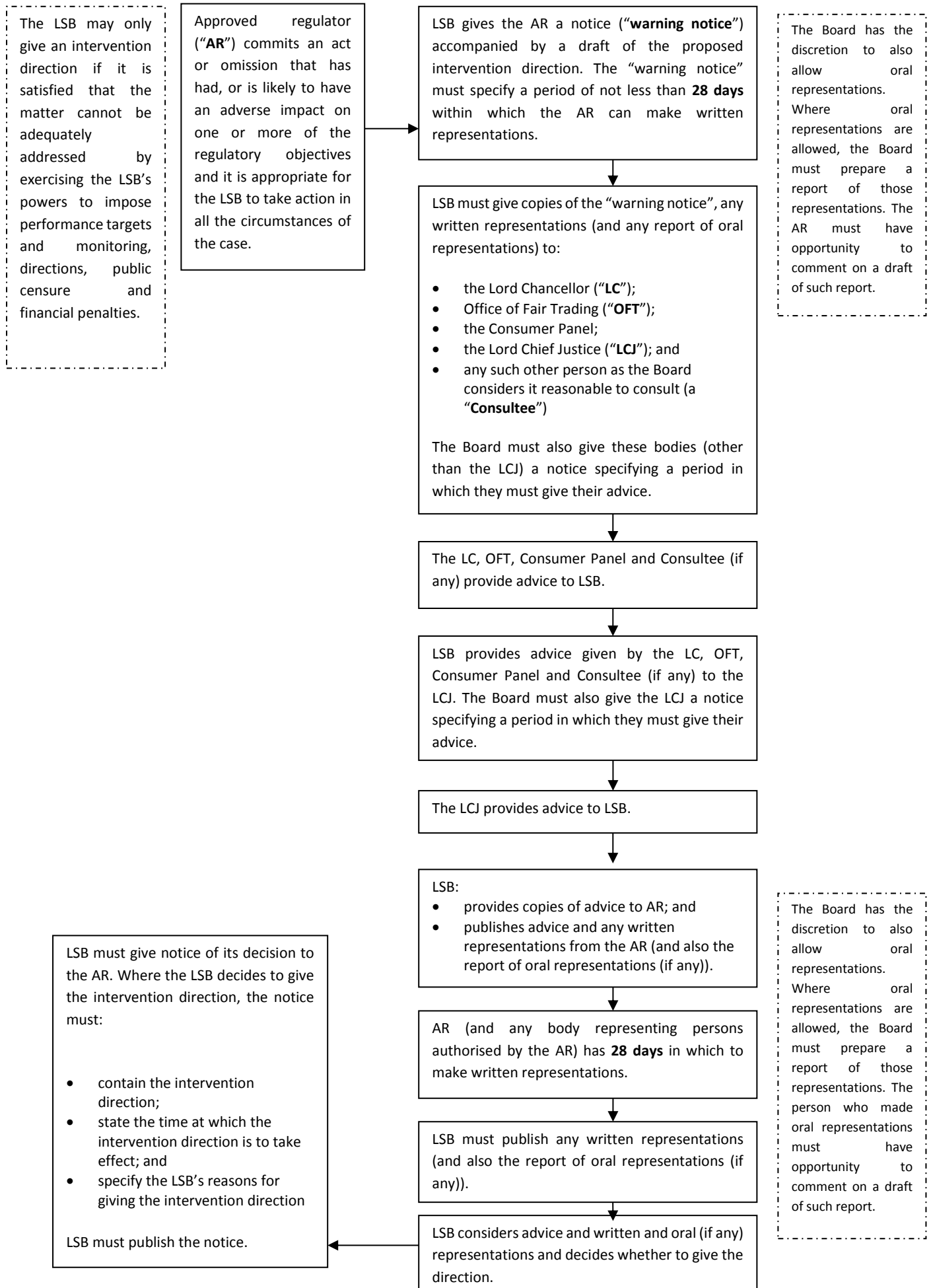
Financial penalties (Section 37)



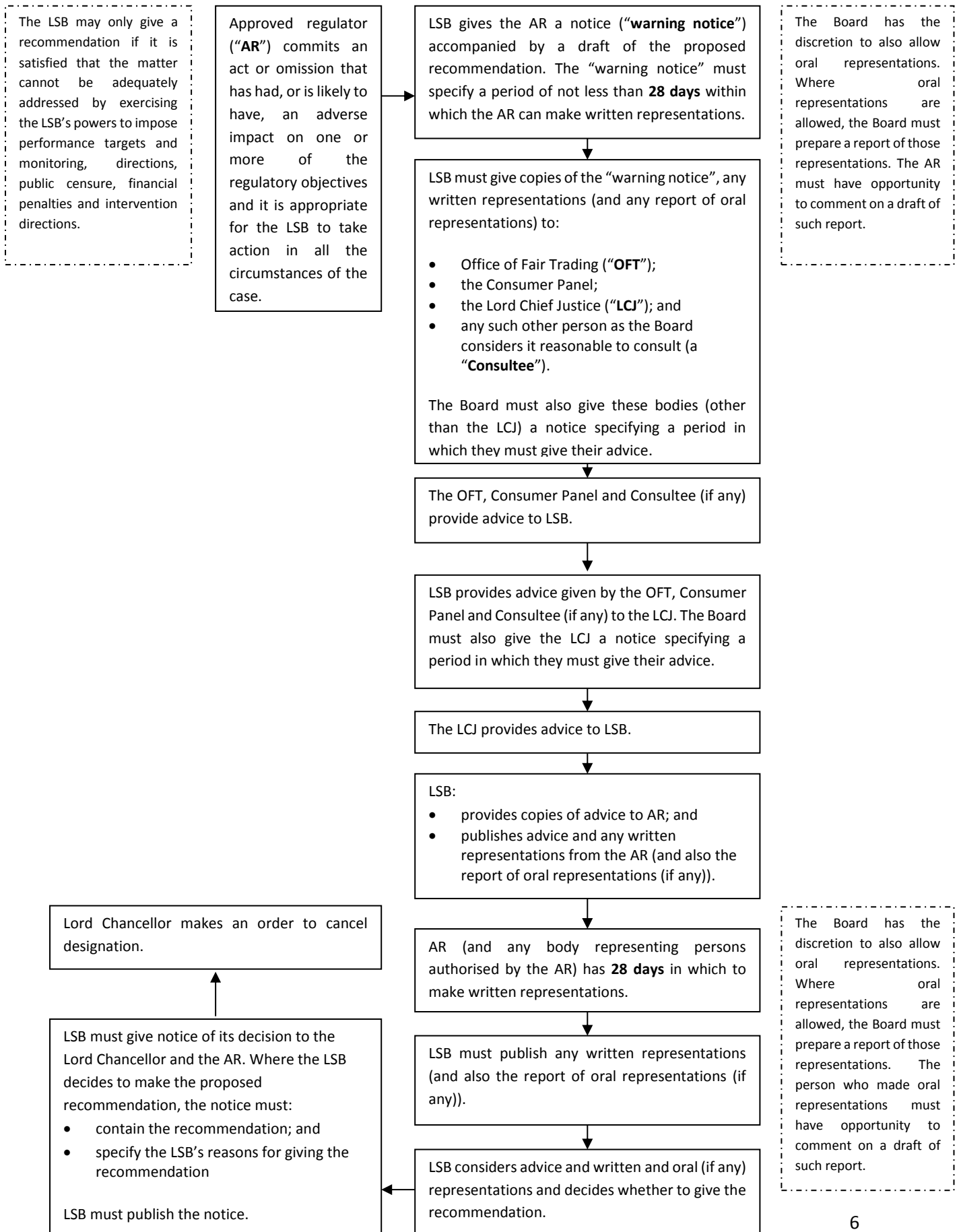
If the Board wishes to vary the amount of the proposed penalty set out in the notice, it must give notice to the AR:

- setting out the variation and the reason for it;
- specifying the time (not being earlier than the end of the period of **21 days** beginning with the day on which the notice is given) before which representations can be made.

Intervention directions (Section 41)



Cancellation of designation as approved regulator (Section 45)



Cancellation of designation as a Licensing Authority (Section 76)

The LSB may only give a recommendation if it is satisfied that the matter cannot be adequately addressed by exercising the LSB's powers to impose performance targets and monitoring, directions, public censure, financial penalties and intervention directions

Licensing Authority ("LA") commits an act or omission that has had, or is likely to have, an adverse impact on one or more of the regulatory objectives and that act or omission was unreasonable and it is appropriate for the LSB to take action in all the circumstances of the case

LSB gives the LA a notice ("warning notice") accompanied by a draft of the proposed recommendation. The "warning notice" must specify a period of not less than **28 days** within which the LA can make written representations

LSB must give copies of the "warning notice", any written representations (and any report of oral representations) to:

- Office of Fair Trading ("OFT");
- the Consumer Panel;
- the Lord Chief Justice ("LCJ"); and
- any such other person as the Board considers it reasonable to consult (a "Consultee").

The Board must also give these bodies (other than the LCJ) a notice specifying a period in which they must give their advice

The OFT, Consumer Panel and Consultee (if any) provide advice to LSB

LSB provides advice given by the OFT, Consumer Panel and Consultee (if any) to the LCJ. The Board must also give the LCJ a notice specifying a period in which they must give their advice

The LCJ provides advice to LSB

LSB:

- provides copies of advice to LA; and
- publishes advice and any written representations from the LA (and also the report of oral representations (if any))

LA (and any body representing licensed bodies authorised by the LA) has **28 days** in which to make written representations

LSB must publish any written representations (and also the report of oral representations (if any))

LSB considers advice and written and oral (if any) representations and decides whether to give the recommendation

Lord Chancellor considers the recommendation and makes an Order to cancel designation

LSB must give notice of its decision to the Lord Chancellor and the LA. Where the LSB decides to make the proposed recommendation, the notice must:

- contain the recommendation; and
- specify the LSB's reasons for giving the recommendation

The Board has the discretion to also allow oral representations. Where oral representations are allowed, the Board must prepare a report of those representations. The AR must have opportunity to comment on a draft of such report

The Board has the discretion to also allow oral representations. Where oral representations are allowed, the Board must prepare a report of those representations. The person who made oral representations must have opportunity to comment on a draft of such report