



Neutral citation number: [2025] UKFTT 00041 (GRC)

Case Reference FT/PEN/2024/0125

**First-tier Tribunal
General Regulatory Chamber
Pensions Regulation**

**Determined in Chambers on 8 January 2025
Decision given on: 20 January 2025**

Before

TRIBUNAL JUDGE FINDLAY

Between

ROOSTER PIRI PIRI LIMITED

Appellant

and

THE PENSIONS REGULATOR

Respondent

Decision: The appeal is struck out under Rule 8(2)(a) of The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 (“the Rules”).

REASONS

1. The Appellant lodged an appeal with the Tribunal on 11 April 2024. The appeal relates to a fixed penalty dated 8 August 2022 and an escalating penalty notice dated 7 September 2022.

2. An appeal to the Tribunal can only arise where a request for a review has been made within 28 days of the penalty and the penalty is upheld or a request for a review has been declined.
3. The Respondent has stated that the review request was made outside the statutory 28 day period.
4. As no valid review has taken place no appeal can be made to the Tribunal and the Tribunal has no jurisdiction in relation to the proceedings.
5. On 24 September 2024 a Direction was made as follows:
 - The Tribunal is considering striking out the Appellant's appeal under Rule 8(2)(a) of the Rules on the basis that no appeal can be made unless a review request has been made within 28 days of the penalty.
 - The Appellant was ordered to respond within 14 days. It was directed that the appeal would be reviewed after 14 days and an order made without a further hearing if it was appropriate to do so.
6. The Appellant has not responded to the directions dated 24 September 2024.
7. There are grounds to strike out the proceedings because the Tribunal does not have jurisdiction in relation to the proceedings and the Appellant has been given an opportunity to make representation in relation to the proposed striking out and has failed to make any representation.

Signed: *J Findlay*

Date: 8 January 2025