

SCHEDULE 3

PENALTY CHARGE NOTICES UNDER SECTION 111

- 4 (1) If, within the period specified under paragraph 1(c) (or that period as extended under paragraph 3(2)), the recipient of the penalty charge notice gives notice to the enforcement authority requesting a review, the authority must—
- (a) consider any representations made by the recipient and all other circumstances of the case,
 - (b) decide whether to confirm or withdraw the notice, and
 - (c) serve notice of their decision on the recipient.
- (2) A notice under sub-paragraph (1)(c) confirming the penalty charge notice must also state the effect of paragraphs 5(1) to (4) and 7.
- (3) The enforcement authority—
- (a) must withdraw the penalty charge notice if satisfied, following a review or at any other time—
 - (i) that the recipient did not commit the breach of duty specified in the notice, or
 - (ii) that the notice was not given within the time allowed by section 111(2) or did not comply with the other requirements imposed by or under this schedule,
 - (b) may otherwise withdraw the penalty charge notice if satisfied, following a review or at any other time, that the recipient is unlikely to commit a further breach of the duty specified in the notice.