Aquaculture and Fisheries (Scotland) Act 2007

2007 asp 12

PART 4

[F1 FIXED PENALTY NOTICES]

F1 …

26 Content and form of fixed penalty notice

(1) A notice must—

(a) give such particulars of the circumstances alleged to constitute the offence to which it relates as are necessary for giving reasonable information about the alleged offence,

(b) state the amount of the appropriate fixed penalty for the offence,

(c) state the period for paying,

(d) state that, if before the period for paying has expired the person makes payment of the fixed penalty, any liability to conviction of the offence is discharged,

(e) state that the payment of a fixed penalty is not a conviction nor may it be recorded as such,

(f) state that no proceedings may be commenced against the person in respect of the offence unless—

(i) intimation of an intention not to pay the fixed penalty has been made, or

(ii) the period for paying has expired and no payment of the fixed penalty has been made,

(g) state the person to whom payment should be made, at such address and by such methods, as specified under section 27(3),

(h) state that if the person does not intend to pay the fixed penalty the person may intimate that intention in writing to such person at such address as specified under section 29(2)(b).

(2) A notice may include such other information as the Scottish Ministers think fit.

(3) The Scottish Ministers may by order prescribe the form of notices.

(4) The "period for paying" is, subject to subsection (5), a period of 28 days beginning with the day on which the notice was issued or such longer period as the notice may specify.

(5) The Scottish Ministers may for the purposes of subsection (4) specify by order a period shorter than 28 days in relation to different cases and categories of case; and may so specify such supplementary provision in connection with the shortening of the period as they consider necessary or expedient.

Commencement Information

I1 S. 26 in force at 1.8.2007 by S.S.I. 2007/333, **art. 2(1)**

Changes to legislation:
There are currently no known outstanding effects for the Aquaculture and Fisheries (Scotland) Act 2007, Section 26.