



# Food (Scotland) Act 2015

## 2015 asp 1

### PART 3

#### ADMINISTRATIVE SANCTIONS

##### *Fixed penalty notices*

#### **38 Effect of a fixed penalty notice on criminal proceedings**

- (1) Where a fixed penalty notice is issued to a person in relation to a relevant offence—
  - (a) no criminal proceedings for the relevant offence may be brought against the person in respect of the relevant act or omission before the end of the payment period, and
  - (b) if the person makes payment in accordance with the notice, the person may not at any time be convicted of the relevant offence in respect of the relevant act or omission.
- (2) In subsection (1), “the relevant act or omission” means the act or omission—
  - (a) constituting the relevant offence, and
  - (b) by reason of which the fixed penalty notice is issued.