
Changes to legislation: There are currently no known outstanding effects for the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016, Paragraph 5. (See end of Document for details)

SCHEDULE FIXED PENALTY FOR OFFENCE UNDER SECTION 1

Effect of notice and payment of penalty

- 5 (1) This paragraph applies where a person is served with a fixed penalty notice in respect of an offence under section 1.
- (2) No proceedings for the offence may be commenced before the end of the period for payment of the penalty.
- (3) No such proceedings may be commenced or continued if payment of the penalty is made before the end of that period or is accepted by the local authority after that time.
- (4) In proceedings for the offence, a certificate which—
- (a) purports to be signed by or on behalf of a person having responsibility for the financial affairs of the local authority, and
 - (b) states that payment of an amount specified in the certificate was or was not received by a date so specified,
- is sufficient evidence of the facts stated.

Commencement Information

II Sch. para. 5 in force at 5.12.2016 by [S.S.I. 2016/259](#), **reg. 2**

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