Schedules

Schedule 2

Further provision about fixed monetary penalties under section 35

Fixed monetary penalties: other sanctions

1.—(1) An order under section 35 must secure that, in a case where a notice of intent referred to in section 36(2)(a) is served on a person—

(a) no criminal proceedings for the offence to which the notice relates may be instituted against the person in respect of the act to which the notice relates before the end of the period in which the person may discharge liability to the fixed monetary penalty pursuant to section 36(2)(b), and

(b) if the person so discharges liability, the person may not at any time be convicted of the offence to which the notice relates in relation to that act.

(2) An order under section 35 must also secure that, in a case where a fixed monetary penalty is imposed on a person, that person may not at any time be convicted of the offence in relation to which the penalty is imposed in respect of the act giving rise to the penalty.