

SCHEDULES

SCHEDULE 1

FIXED PENALTIES

Effect of notice and payment

9.—(1) Proceedings for the offence in respect of which a penalty notice was given may not be brought before the end of the period for payment of the penalty.

(2) Sub-paragraph (1) does not apply if the person to whom the notice was given has asked in accordance with paragraphs 14 and 15 to be tried for the alleged offence.

10. If the penalty is paid in accordance with the penalty notice before the end of the period for payment of the penalty, no proceedings for the offence may be brought and paragraph 14 does not apply.

11. If the discounted amount is paid in accordance with the penalty notice before the end of the period for payment of the discounted amount, no proceedings for the offence may be brought and paragraph 14 does not apply.

12. If proceedings have been brought pursuant to a request under paragraph 14, but then the penalty or discounted amount is paid as mentioned in paragraph 10 or 11 those proceedings may not be continued.

13. In any proceedings, a certificate is evidence of the facts which it states if it—

- (a) purports to be signed by or on behalf of the person responsible for the financial affairs of the [^{F1}district council or other enforcement authority] on whose behalf the authorised officer who gave a penalty notice was acting, and
- (b) states that payment of the penalty or discounted amount in pursuance of the notice was or was not received by a date specified in the certificate.

Textual Amendments

F1 Words in Sch. 1 para. 13(a) substituted (1.2.2022) by The Smoke-Free (Private Vehicles) Regulations (Northern Ireland) 2021 (S.R. 2021/328), regs. 1(1), **6(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Smoking (Northern Ireland) Order 2006, Effect of notice and payment.