



# London Local Authorities Act 2012

## 2012 CHAPTER ii

### PART 2

#### PENALTY CHARGES

#### **3 Powers exercisable by police civilians and accredited persons**

- (1) Where a designation under section 38 of the Police Reform Act 2002 applies paragraph 1 of Schedule 4 to that Act (community support officers' powers to issue fixed penalty notices) to any person, that person shall have the power of a borough council to serve a penalty charge notice under section 61(2) of the Act of 2007 (penalty charges) where he has reason to believe that a penalty charge is payable by the person being served to the borough council by virtue of a penalty charge provision within the meaning of section 61(7) of that Act.
- (2) An accredited person within the meaning of section 47 of the Police Reform Act 2002 whose accreditation specifies that this subsection applies to him shall have the power of a borough council to serve a penalty charge notice under section 61(2) of the Act of 2007 (penalty charges) where he has reason to believe that a penalty charge is payable by the person being served to the borough council by virtue of a penalty charge provision within the meaning of section 61(7) of that Act.
- (3) An accreditation may only specify that subsection (2) applies to an accredited person if that person's accreditation also specifies that paragraph 1 of Schedule 5 to the Police Reform Act 2002 (accredited person's powers to issue fixed penalty notices) applies to him.

#### **4 Power to require name and address**

- (1) If a borough council or a community support officer proposes to serve on a person a penalty charge notice under section 61(2) of the Act of 2007 (penalty charges), the council or community support officer may require the person to give him his name and address.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (2) Where a requirement of the borough council under subsection (1) is made in person then—
- (a) it must be made by an authorised officer of the council; and
  - (b) the authorised officer must, if required to do so, show proof of his authorisation.
- (3) A person commits an offence if—
- (a) he fails to give his name and address when required to do so under subsection (1); or
  - (b) he gives a false or inaccurate name or address in response to a requirement under that subsection.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.