



## 2011 CHAPTER 9

### *Fixed penalties*

#### **Amount of fixed penalty**

**14.** For Article 38 of the Dogs Order (amount of fixed penalty) substitute—

#### **“Amount of fixed penalty**

**38.—**(1) The amount of a fixed penalty payable to a district council in pursuance of a notice under Article 36 in respect of an offence to which Articles 36 to 38 apply—

- (a) is the amount specified by the district council; or
- (b) if no amount is so specified, is £75.

(2) A district council may under paragraph (1)(a) specify different amounts in relation to different offences.

(3) A district council may make provision for treating a fixed penalty payable to that council in pursuance of a notice under Article 36 as having been paid if a lesser amount is paid before the end of a period specified by the council.

(4) The Department may by regulations make provision in connection with the powers conferred on district councils under paragraphs (1)(a) and (3).

(5) Regulations under paragraph (4) may (in particular)—

- (a) require an amount specified under paragraph (1)(a) to fall within a range prescribed in the regulations;
- (b) restrict the extent to which, and in the circumstances in which, a district council can make provision under paragraph (3).

(6) The Department may by order substitute a different amount for the amount for the time being specified in paragraph (1)(b).”.