

**2016 No. 54**

**ENVIRONMENTAL PROTECTION**

**DOGS**

**The Dog Fouling (Fixed Penalty) (Scotland) Order 2016**

*Made* - - - - - *26th January 2016*

*Coming into force* - - - - - *1st April 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred on them by sections 9(2) and 15(2)(b) of the Dog Fouling (Scotland) Act 2003(a) and all other powers enabling them to do so.

In accordance with section 15(3)(b) of that Act(b) a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

1. This Order may be cited as the Dog Fouling (Fixed Penalty) (Scotland) Order 2016 and comes into force on 1st April 2016.

**Amount of fixed penalty for dog fouling**

2. For the purposes of section 9 of the Dog Fouling (Scotland) Act 2003 (amount of fixed penalty), the percentage prescribed for the fixed penalty is 40 per cent of level 1 on the standard scale.

**Application**

3. Article 2 applies to fixed penalty notices issued under section 5 of the Dog Fouling (Scotland) Act 2003 on or after 1st April 2016.

*PAUL WHEELHOUSE*

Authorised to sign by the Scottish Ministers

St Andrew's House,  
Edinburgh  
26th January 2016

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(a) 2003 asp 12.

(b) Section 15(3)(b) has been modified by paragraph 5 of Schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes the amount of the fixed penalty which is payable if a fixed penalty notice has been issued under section 5 of the Dog Fouling (Scotland) Act 2003. The current amount is set in section 9(2) of the 2003 Act and is equivalent to 20 per cent of level 1 on the Standard Scale. This amount is currently £40. This Order prescribes a new amount which is 40 per cent of level 1 on the standard scale. At the time of making this Order this amount is £80.

The new amount will only apply to fixed penalties issued on or after 1st April 2016.

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