

SCHEDULES

SCHEDULE 3

COMMUNITY CHARGES: PENALTIES

General

- 3 Where a person is convicted of an offence, the conduct by reason of which he is convicted shall not also allow a penalty to be imposed under paragraph 1 or 2 above.
- 4 (1) If it appears to the Treasury that there has been a change in the value of money since the passing of this Act or (as the case may be) the last occasion when the power conferred by this paragraph was exercised, they may by order substitute for any sum for the time being specified in paragraphs 1 and 2 above such other sum as appears to them to be justified by the change.
- (2) An order under this paragraph shall not apply in relation to anything done, or any failure which began, before the date on which the order comes into force.
- 5 (1) A penalty under paragraph 1 above shall be paid to the authority imposing it.
- (2) A penalty under paragraph 2 above shall be paid to the authority for which the registration officer imposing it is the registration officer.
- 6 (1) The Secretary of State may make regulations containing provision as to the collection of amounts payable as penalties under paragraph 1 or 2 above.
- (2) The regulations may include provision for the collection of such amounts (including provision about instalments and notices) which is equivalent to that made in regulations under Schedule 2 above for the collection of amounts persons are liable to pay in respect of community charges subject to any modifications the Secretary of State sees fit.
- (3) The regulations may include provision that, where the imposition of a penalty is subject to an appeal or arbitration, no amount shall be payable in respect of the penalty while the appeal or arbitration is outstanding.
- (4) The regulations may include rules for ascertaining whether an imposition is subject to an appeal or arbitration, and whether an appeal or arbitration is outstanding; and the regulations may treat an appeal or arbitration as outstanding unless it is finally disposed of or abandoned or fails for non-prosecution.
- (5) The regulations may include provision dealing with any case where a penalty is quashed, and may in particular provide for the repayment of an amount or the allowance of an amount by way of deduction against a sum due.
- (6) Provision as to penalties incurred under paragraph 2 (8) to (11) above before 1 April 1990 may be included in regulations under this paragraph notwithstanding that no liability to pay amounts in respect of community charges arises before that date.