



Identity Cards Act 2006

2006 CHAPTER 15

Civil penalties

31 Imposition of civil penalties

- (1) This section applies where the Secretary of State is satisfied that a person (“the defaulter”) is a person who is liable under this Act to a civil penalty not exceeding a specified amount.
- (2) The Secretary of State may, by a notice given to the defaulter in the prescribed manner, impose on him a penalty of such amount, not exceeding the specified amount, as the Secretary of State thinks fit.
- (3) A notice imposing such a penalty must—
 - (a) set out the Secretary of State’s reasons for deciding that the defaulter is liable to a penalty;
 - (b) state the amount of the penalty that is being imposed;
 - (c) specify a date before which the penalty must be paid to the Secretary of State;
 - (d) describe how payment may be made;
 - (e) explain the steps that the defaulter may take if he objects to the penalty; and
 - (f) set out and explain the powers of the Secretary of State to enforce the penalty.
- (4) The date for the payment of a penalty must be not less than 14 days after the giving of the notice imposing it.
- (5) A penalty imposed in accordance with this section—
 - (a) must be paid to the Secretary of State in a manner described in the notice imposing it; and
 - (b) if not so paid by the specified date, is to be recoverable by him accordingly.
- (6) In proceedings for recovery of a penalty so imposed no question may be raised as to—
 - (a) whether the defaulter was liable to the penalty;
 - (b) whether the imposition of the penalty was unreasonable; or
 - (c) the amount of the penalty.

Status: This is the original version (as it was originally enacted).

- (7) Sums received by the Secretary of State in respect of penalties imposed in accordance with this section must be paid into the Consolidated Fund.