



# Identity Cards Act 2006

## 2006 CHAPTER 15

### *Civil penalties*

#### **32 Objection to penalty**

- (1) A person to whom a notice under section 31 has been given may give notice to the Secretary of State that he objects to the penalty on one or more of the following grounds—
  - (a) that he is not liable to it;
  - (b) that the circumstances of the contravention in respect of which he is liable make the imposition of a penalty unreasonable;
  - (c) that the amount of the penalty is too high.
- (2) The notice of objection—
  - (a) must set out the grounds of the objection and the objector's reasons for objecting on those grounds; and
  - (b) must be given to the Secretary of State in the prescribed manner and within the prescribed period after the giving of the notice imposing the penalty.
- (3) The Secretary of State must consider a notice of objection given in accordance with this section and may then—
  - (a) cancel the penalty;
  - (b) reduce it;
  - (c) increase it; or
  - (d) confirm it.
- (4) The Secretary of State must not enforce a penalty in respect of which he has received a notice of objection before he has notified the objector of the outcome of his consideration of the objection.
- (5) That notification of the outcome of his consideration must be given, in the prescribed manner—
  - (a) before the end of the prescribed period; or
  - (b) within such longer period as he may agree with the objector.

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*Status: This is the original version (as it was originally enacted).*

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- (6) Where, on consideration of an objection, the Secretary of State increases the penalty, he must give the objector a new penalty notice under section 31; and, where he reduces it, he must notify the objector of the reduced amount.