

SCHEDULES

SCHEDULE 3

Section 5

CIVIL PENALTY FOR FAILING TO MAKE APPLICATION WHEN REQUIRED BY REGISTRATION OFFICER

In the Representation of the People Act 1983, before Schedule A1 insert—

“SCHEDULE ZA1

Section 9E

CIVIL PENALTIES UNDER SECTION 9E

Introduction

- 1 This Schedule is about civil penalties under section 9E.

Amount

- 2 The amount of a civil penalty is to be specified in regulations.

Procedure

- 3 (1) The procedure for imposing a civil penalty on a person is to be set out in regulations.
(2) The regulations must, in particular, require the registration officer to give the person written notice specifying—
(a) the amount of the penalty,
(b) the reasons for imposing it, and
(c) the date by which and manner in which it is to be paid.
- 4 Regulations may specify steps that a registration officer must take before imposing a civil penalty.

Reviews and appeals

- 5 (1) Regulations may give a person on whom a civil penalty is imposed—
(a) a right to request a review of the decision to impose the penalty;
(b) a right to appeal against the decision to the First-tier Tribunal.
- (2) Regulations under this paragraph may, in particular—
(a) specify the grounds on which a person may request a review or appeal;
(b) specify the time within which a person must request a review or appeal;
(c) require a person to request a review before appealing;
(d) make provision about the procedure for a review;
(e) make further provision about reviews and appeals (including provision as to the powers available on a review or appeal).

Power to create exceptions

- 6 Regulations may specify circumstances in which—
- (a) a civil penalty may not be imposed, or
 - (b) a civil penalty may be cancelled.

Accounts and record keeping

- 7 Regulations may impose duties on registration officers about the keeping of accounts and other records in connection with civil penalties.

Interest and enforcement etc.

- 8 Regulations may—
- (a) allow interest to be charged on a civil penalty that is paid late;
 - (b) allow an additional penalty to be imposed for late payment.
- 9 In this Schedule “civil penalty” includes any interest or additional penalty.
- 10 Regulations may make provision about the recovery of civil penalties by registration officers.
- 11 A civil penalty received by a registration officer is to be paid into the Consolidated Fund.

Power to make further provision

- 12 Regulations may make further provision about civil penalties.”