

SCHEDULES

SCHEDULE 1

Offences, penalties, enforcement and other matters

PART 2

Penalties

Objection to penalty decision

6.—(1) The recipient of a penalty notice (the “recipient”) may object to the penalty notice by giving a notice of objection to the enforcement authority.

(2) A notice of objection must—

- (a) give the reasons for the objection;
- (b) be given to the enforcement authority in the manner and form specified in the penalty notice; and
- (c) be given before the end of the period of 28 days beginning with the date specified in the penalty notice as the date on which it is given.

(3) Where the enforcement authority receives a notice of objection, the enforcement authority must consider it and—

- (a) cancel the penalty;
- (b) reduce the penalty;
- (c) increase the penalty; or
- (d) determine not to alter the penalty.

(4) After reaching a decision as to how to proceed under sub-paragraph (3), the enforcement authority must notify the recipient of the decision in writing.

(5) A notification under sub-paragraph (4) must be given before the end of the period of 70 days beginning with the date specified in the penalty notice as the date on which it is given, or such longer period as the enforcement authority may agree with the recipient.

(6) A notification under sub-paragraph (4), other than one notifying the recipient that the enforcement authority has decided to cancel the penalty, must—

- (a) state the amount of the penalty following the enforcement authority's consideration of the notice of objection;
- (b) state the enforcement authority's reasons for the decision under sub-paragraph (3);
- (c) specify the date, at least 28 days after the date on which the notification is given, before which the penalty must be paid;
- (d) specify how the penalty must be paid;
- (e) include an explanation of the recipient's rights of appeal; and

Changes to legislation: There are currently no known outstanding effects for the The Motorcycles (Type-Approval) Regulations 2018, Paragraph 6. (See end of Document for details)

(f) include an explanation of the steps the enforcement authority may take to recover any unpaid penalty.

[^{F1}(7) A notification under sub-paragraph (4) notifying the recipient that the enforcement authority has decided to cancel the penalty must state the enforcement authority's reasons for the decision under sub-paragraph (3).]

Textual Amendments

F1 Sch. 1 para. 6(7) inserted (1.7.2018) by The Road Vehicles (Defeat Devices, Fuel Economy and Type-Approval) (Amendment) Regulations 2018 (S.I. 2018/673), regs. 1(c), **20(b)**

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