

## SCHEDULE 2

### Fixed monetary penalties

## PART 1

### Imposition of fixed monetary penalties and procedure

#### Notice of Intent

**3.—(1)** Where an administrator proposes to impose a fixed monetary penalty on a seller, the administrator must serve a notice of intent on that seller<sup>(1)</sup>.

(2) A notice of intent must—

- (a) state the amount of the penalty;
- (b) offer the seller the opportunity to discharge its liability to the penalty by paying the specified sum within 28 days beginning with the day on which the notice is received;
- (c) include information as to—
  - (i) the grounds for the proposal to impose the fixed monetary penalty;
  - (ii) the effect of payment of the specified sum;
  - (iii) the right to make representations and objections conferred by paragraph 5;
  - (iv) the circumstances in which the administrator may not impose the fixed monetary penalty;
  - (v) the 28 day period within which liability to the fixed monetary penalty may be discharged by virtue of paragraph 4;
  - (vi) the 28 day period within which representations and objections may be made;
  - (vii) how payment may be made.

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(1) For the meaning of “*notice of intent*” see paragraph 11(1)(a) of Schedule 6 to the Climate Change Act 2008.