



Antisocial Behaviour etc. (Scotland) Act 2004

2004 asp 8

PART 11

FIXED PENALTIES

Fixed penalty notices and penalties

132 Payment of fixed penalty

- (1) The fixed penalty stated in a fixed penalty notice is payable to the clerk of the [F1]justice of the peace court] specified in the notice.
- (2) Payment of the penalty may be made by properly addressing, pre-paying and posting a letter containing the amount of the penalty (in cash or otherwise).
- (3) Subsection (4) applies if a person—
 - (a) claims to have made payment in accordance with subsection (2); and
 - (b) shows that a letter was posted.
- (4) Unless the contrary is proved, payment is to be regarded as being made at the time at which the letter would be delivered in the ordinary course of post.
- (5) Subsection (2) is not to be read as preventing the payment of a penalty by other means.
- (6) F2
- (7) A letter is properly addressed for the purposes of subsection (2) if it is addressed in accordance with the requirements specified in the fixed penalty notice.

Textual Amendments

- F1** Words in s. 132(1) substituted (for specified purposes at 10.3.2008, 2.6.2008, 8.12.2008, 23.2.2009 and 14.12.2009, and otherwise 22.2.2010) by [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007](#) (asp 6), ss. 80, 84, [Sch. para. 32\(b\)](#); S.S.I. 2008/42, [art. 3](#), Sch. (with arts. 4-6); S.S.I. 2008/192, [art. 3](#), Sch; S.S.I. 2008/329, [art. 3](#), Sch; S.S.I. 2008/362, [art. 3](#), Sch.; S.S.I. 2009/432, [art. 3](#), Schs. 1, 2

Changes to legislation: *Antisocial Behaviour etc. (Scotland) Act 2004, Section 132 is up to date with all changes known to be in force on or before 21 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- F2** S. 132(6) repealed (for specified purposes at 10.3.2008, 2.6.2008, 8.12.2008, 23.2.2009 and 14.12.2009, and otherwise 22.2.2010) by [Criminal Proceedings etc. \(Reform\) \(Scotland\) Act 2007 \(asp 6\)](#), ss. 80, 84, **Sch. para. 32(c)**; [S.S.I. 2008/42](#), **art. 3**, Sch. (with arts. 4-6); [S.S.I. 2008/192](#), **art. 3**, Sch; [S.S.I. 2008/329](#), **art. 3**, Sch; [S.S.I. 2008/362](#), **art. 3**, Sch.; [S.S.I. 2009/432](#), **art. 3**, Schs. 1, 2

Modifications etc. (not altering text)

- C1** Ss. 129-134 applied (with modifications) (temp.) (26.3.2020 at 7.15 p.m.) by [The Health Protection \(Coronavirus\) \(Restrictions\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/103\)](#), regs. 1(1), **9(6)(7)** (with reg. 11)
- C2** Ss. 129-134 applied (with modifications) (temp.) (8.6.2020) by [The Health Protection \(Coronavirus\) \(International Travel\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/169\)](#), regs. 1(2), **11(4)(5)** (with reg. 15)
- C3** Ss. 129-134 applied (with modifications) (temp.) (5.8.2020 at 5.00 p.m.) by [The Health Protection \(Coronavirus, Restrictions\) \(Aberdeen City\) Regulations 2020 \(S.S.I. 2020/234\)](#), regs. 1, **8(6)(7)** (with reg. 9)
- C4** Ss. 129-134 applied (with modifications) (temp.) (28.8.2020) by [The Health Protection \(Coronavirus, Restrictions\) \(Directions by Local Authorities\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/262\)](#), regs. 1(2), **13(7)(8)** (with reg. 15)
- C5** Ss. 129-134 applied (with modifications) (temp.) (14.9.2020) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/279\)](#), regs. 1, **16(7)(8)** (with reg. 17)
- C6** Ss. 129-134 applied (with modifications) (temp.) (9.10.2020 at 1800 hours) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Additional Temporary Measures\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/318\)](#), regs. 1(1), **27(7)(8)** (with regs. 4, 28)
- C7** Ss. 129-134 applied (with modifications) (temp.) (2.11.2020 at 6.00 a.m.) by [The Health Protection \(Coronavirus\) \(Restrictions and Requirements\) \(Local Levels\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/344\)](#), regs. 1(1), **7(7)(8)** (with reg. 9)
- C8** Ss. 129-134 applied (with modifications) (temp.) (9.8.2021) by [The Health Protection \(Coronavirus\) \(Requirements\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/277\)](#), regs. 1(1), **17(7)(8)** (with reg. 19)
- C9** Ss. 129-134 applied (with modifications) (temp.) (20.9.2021) by [The Health Protection \(Coronavirus\) \(International Travel and Operator Liability\) \(Scotland\) Regulations 2021 \(S.S.I. 2021/322\)](#), regs. 1(2), **35(4)(5)** (with reg. 50)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 85B inserted by [2014 asp 14 s. 21\(1\)](#)