[F1SCHEDULE 1A
FIXED PENALTIES

Textual Amendments

F1 Sch. 1A inserted (30.6.2014) by Regulatory Reform (Scotland) Act 2014 (asp 3), **ss. 43(3)**, 61(2); S.S.I. 2014/160, art. 2(1)(2), Sch.

Restriction on proceedings and effect of payment

7 (1) The earliest date that proceedings for the offence may be commenced is the day after the payment deadline.

(2) But no such proceedings may be commenced against a person if—

(a) the person makes payment of the discounted amount on or before the discounted payment deadline (or that deadline as extended under paragraph 5(4)); or

(b) the person makes payment of the fixed penalty on or before the payment deadline (or that deadline as extended under paragraph 5(2)).

(3) In proceedings for the offence, a certificate which—

(a) purports to be signed by or on behalf of a person having responsibility for the financial affairs of the enforcement authority; and

(b) states that payment of an amount specified in the certificate was, or was not, received by a date so specified,

is sufficient evidence of the facts stated.

(4) Where the enforcement authority is a local authority, the reference to a person having responsibility for the financial affairs of the enforcement authority in sub-paragraph (3)(a) is to be read as a reference to the person who has, as respects the local authority, the responsibility mentioned in section 95 of the Local Government (Scotland) Act 1973 (financial administration).]

Changes to legislation:
There are currently no known outstanding effects for the Climate Change (Scotland) Act 2009, Cross Heading: Restriction on proceedings and effect of payment.