



Food (Scotland) Act 2015

2015 asp 1

PART 3

ADMINISTRATIVE SANCTIONS

Fixed penalty notices

38 Effect of a fixed penalty notice on criminal proceedings

- (1) Where a fixed penalty notice is issued to a person in relation to a relevant offence—
- (a) no criminal proceedings for the relevant offence may be brought against the person in respect of the relevant act or omission before the end of the payment period, and
 - (b) if the person makes payment in accordance with the notice, the person may not at any time be convicted of the relevant offence in respect of the relevant act or omission.
- (2) In subsection (1), “the relevant act or omission” means the act or omission—
- (a) constituting the relevant offence, and
 - (b) by reason of which the fixed penalty notice is issued.

Commencement Information

II [S. 38](#) in force at 1.4.2015 by [S.S.I. 2015/99](#), [art. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the Food (Scotland) Act 2015, Section 38.