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**Changes to legislation:** There are currently no known outstanding effects for the Smoking Prohibition (Children in Motor Vehicles) (Scotland) Act 2016, Cross Heading: Effect of notice and payment of penalty. (See end of Document for details)

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## SCHEDULE FIXED PENALTY FOR OFFENCE UNDER SECTION 1

### *Effect of notice and payment of penalty*

- 5 (1) This paragraph applies where a person is served with a fixed penalty notice in respect of an offence under section 1.
- (2) No proceedings for the offence may be commenced before the end of the period for payment of the penalty.
- (3) No such proceedings may be commenced or continued if payment of the penalty is made before the end of that period or is accepted by the local authority after that time.
- (4) 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 local 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.

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#### **Commencement Information**

**II** Sch. para. 5 in force at 5.12.2016 by S.S.I. 2016/259, reg. 2

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