
Status: This version of this cross heading contains provisions that are prospective.
Changes to legislation: Planning (Scotland) Act 2019, Cross Heading: Maximum penalties is up to date with all changes known to be in force on or before 03 October 2023. 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](#)

PROSPECTIVE

SCHEDULE 1 INFRASTRUCTURE-LEVY REGULATIONS

Maximum penalties

- 16 (1) The maximum penalty that infrastructure-levy regulations can specify for an offence they create is—
- (a) for a summary-only offence—
 - (i) a fine not exceeding level 5 on the standard scale,
 - (ii) a term of imprisonment not exceeding 12 months, or
 - (iii) both,
 - (b) for an either-way offence—
 - (i) a fine, which may not exceed the statutory maximum on summary conviction,
 - (ii) a term of imprisonment not exceeding—
 - (A) 12 months on summary conviction,
 - (B) 2 years on conviction on indictment, or
 - (iii) both.
- (2) In sub-paragraph (1)(b), “either-way offence” means an offence that is triable either on indictment or summary complaint.

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Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2019/377, reg. 9 by [S.S.I. 2019/411 reg. 2](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2021/101, regs. 3, 4 by [S.S.I. 2021/291 reg. 2](#)