

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Planning (Scotland) Act 2019, Paragraph 16 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 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](#)