

*Draft Order laid before the Scottish Parliament under section 15(3)(b) of the Dog Fouling (Scotland)  
Act 2003, for approval by resolution of the Scottish Parliament.*

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DRAFT SCOTTISH STATUTORY INSTRUMENTS

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**2016 No.**

**ENVIRONMENTAL PROTECTION  
DOGS**

**The Dog Fouling (Fixed Penalty) (Scotland) Order 2016**

*Made - - - - 2016*

*Coming into force - - 1st April 2016*

The Scottish Ministers make the following Order in exercise of the powers conferred on them by sections 9(2) and 15(2)(b) of the Dog Fouling (Scotland) Act 2003<sup>(1)</sup> and all other powers enabling them to do so.

In accordance with section 15(3)(b) of that Act<sup>(2)</sup> a draft of this instrument has been laid before and approved by resolution of the Scottish Parliament.

**Citation and commencement**

**1.** This Order may be cited as the Dog Fouling (Fixed Penalty) (Scotland) Order 2016 and comes into force on 1st April 2016.

**Amount of fixed penalty for dog fouling**

**2.** For the purposes of section 9 of the Dog Fouling (Scotland) Act 2003 (amount of fixed penalty), the percentage prescribed for the fixed penalty is 40 per cent of level 1 on the standard scale.

**Application**

**3.** Article 2 applies to fixed penalty notices issued under section 5 of the Dog Fouling (Scotland) Act 2003 on or after 1st April 2016.

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<sup>(1)</sup> 2003 asp 12.

<sup>(2)</sup> Section 15(3)(b) has been modified by paragraph 5 of Schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).

St Andrew's House,  
Edinburgh  
Date

*Name*  
A member of the Scottish Government

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes the amount of the fixed penalty which is payable if a fixed penalty notice has been issued under section 5 of the Dog Fouling (Scotland) Act 2003. The current amount is set in section 9(2) of the 2003 Act and is equivalent to 20 per cent of level 1 on the Standard Scale. This amount is currently £40. This Order prescribes a new amount which is 40 per cent of level 1 on the standard scale. At the time of making this Order this amount is £80.

The new amount will only apply to fixed penalties issued on or after 1st April 2016.