



Welsh Language (Wales) Measure 2011

2011 nawm 1

PART 5 E+W

ENFORCEMENT OF STANDARDS

CHAPTER 1 E+W

INVESTIGATING FAILURE TO COMPLY WITH STANDARDS ETC

Civil penalties

83 Civil penalties E+W

- (1) The Commissioner must have regard to the matters set out in subsection (2) when determining—
 - (a) whether to impose a civil penalty on any person, and
 - (b) the amount of any civil penalty.
- (2) Those matters are—
 - (a) the seriousness of the matter in respect of which the civil penalty is to be imposed;
 - (b) the circumstances of the person on whom the civil penalty is to be imposed;
 - (c) the need to prevent the continuation or repetition of the matter in respect of which the civil penalty is to be imposed.
- (3) Subsection (1) does not prevent the Commissioner from having regard to other matters.
- (4) A civil penalty must not exceed £5,000.
- (5) A civil penalty is recoverable by the Commissioner as a debt due to the Commissioner.
- (6) The Commissioner must pay all civil penalties received by him or her into the Welsh Consolidated Fund.

Changes to legislation: There are currently no known outstanding effects for the Welsh Language (Wales) Measure 2011, Cross Heading: Civil penalties. (See end of Document for details)

- (7) The Welsh Ministers may, by order, substitute a different amount for the amount that is specified for the time being in subsection (4).
- (8) In this section “civil penalty” means any civil penalty that may be imposed by the Commissioner.

Commencement Information

I1 S. 83 in force at 7.7.2015 by S.I. 2015/1413, art. 3(c)

84 Imposition of civil penalty E+W

- (1) This section applies if the Commissioner—
- (a) determines that D has failed to comply with a relevant requirement, and
 - (b) decides to impose a civil penalty on D.
- (2) The relevant decision notice must—
- (a) set out the civil penalty which the Commissioner has decided to impose;
 - (b) set out how the civil penalty may be paid;
 - (c) set out the period within which the civil penalty must be paid (which must be a period of not less than 28 days).
- (3) The relevant decision notice must also inform D of—
- (a) the consequences if D does not pay the civil penalty; and
 - (b) the right to appeal under section 95.
- (4) This section is subject to section 85.
- (5) In this section “relevant decision notice” means the decision notice which the Commissioner is required by section 73 to give to D.

Commencement Information

I2 S. 84 in force at 7.7.2015 by S.I. 2015/1413, art. 3(c)

Changes to legislation:

There are currently no known outstanding effects for the Welsh Language (Wales) Measure 2011,
Cross Heading: Civil penalties.