

Schedules

Schedule 2

Further provision about fixed monetary penalties under section 35

Guidance as to enforcement of offences

6.—(1) Where an order under section 35 confers powers to impose a fixed monetary penalty in relation to an offence, the Department must prepare and publish guidance about how the offence is enforced.

(2) The guidance must include guidance as to—

- (a) the sanctions (including criminal sanctions) to which a person who commits the offence may be liable,
- (b) the action which the Department may take to enforce the offence, whether by virtue of section 35 or otherwise, and
- (c) the circumstances in which the Department is likely to take any such action.

(3) The Department may from time to time revise guidance published by it under this paragraph and publish the revised guidance.

(4) The Department must consult such persons as it considers appropriate before publishing any guidance or revised guidance under this paragraph.