

SCHEDULE 2

Fixed monetary penalties

PART 1

Imposition of fixed monetary penalties and procedure

Notice of intent

3.—(1) Where the Administrator proposes to impose a fixed monetary penalty on a seller, the Administrator shall serve by post a notice of intent on that seller.

(2) A notice of intent shall—

- (a) state the amount of the penalty;
- (b) offer the seller the opportunity to discharge its liability to the penalty by paying the specified sum within 28 days beginning with the day on which the notice is served;
- (c) include information as to—
 - (i) the grounds for the proposal to impose the fixed monetary penalty;
 - (ii) the effect of payment of the specified sum;
 - (iii) the right to make representations and objections conferred by paragraph 5;
 - (iv) the circumstances in which the Administrator may not impose the fixed monetary penalty;
 - (v) the 28 day period within which liability to the fixed monetary penalty may be discharged by virtue of paragraph 4;
 - (vi) the 28 day period within which representations and objections may be made;
 - (vii) how payment may be made.