
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2020 No.

**The Energy Efficiency (Domestic Private
Rented Property) (Scotland) Regulations 2020**

PART 6

Appeals and recovery of financial penalties

Recovery of financial penalty

24.—(1) The amount of an unpaid financial penalty is recoverable from L as a debt owed to the enforcement authority unless the notice has been withdrawn or quashed.

(2) Proceedings for the recovery of the financial penalty may not be commenced—

- (a) before the expiry of the period for requesting a review specified in the penalty notice by virtue of regulation 18(2)(h)(ii),
- (b) where a review has been requested under regulation 21(1), before the enforcement authority has served notice of its decision under regulation 21(2)(c), and
- (c) where the enforcement authority has served notice of its decision under regulation 21(2)(c) confirming the penalty notice, before the expiry of the period within which L may appeal under regulation 22.

(3) In proceedings for the recovery of a financial penalty, a certificate which—

- (a) purports to be signed by or on behalf of the person having responsibility for the financial affairs of the enforcement authority, and
- (b) states that payment of the financial penalty was or was not received by a date specified in the certificate,

is evidence of the facts stated.