

SCHEDULE

Civil Sanctions

PART 3

Enforcement Undertakings

Non-compliance with an enforcement undertaking

23.—(1) If an enforcement undertaking is not complied with, the regulator that accepted the undertaking may either—

- (a) serve a variable monetary penalty notice, compliance notice, non-compliance penalty or stop notice; or
- (b) bring criminal proceedings.

(2) If a person has complied partly but not fully with an enforcement undertaking, that partial compliance must be taken into account in the imposition of any criminal or other sanction on the person.

(3) Criminal proceedings for an offence to which an enforcement undertaking relates may be instituted at any time up to six months from the date on which the regulator notifies the person required to comply with that undertaking of that person's failure to do so.