
DRAFT STATUTORY INSTRUMENTS

2024 No.

The Biodiversity Gain Site Register (Financial Penalties and Fees) Regulations 2024

PART 2

Financial penalties

Final decision to impose financial penalty

6.—(1) Where the register operator has given a notice of intent to a person under regulation 4, the register operator may impose a financial penalty on that person if it decides to do so within—

- (a) the period of 56 days beginning with the day on which the register operator receives an objection made in accordance with regulation 5, or
- (b) if no such objection is received, the period of 56 days beginning with the day after the day on which the period mentioned in regulation 5(1) ended.

(2) A financial penalty is imposed on a person under this Part by giving notice to that person informing that person of the register operator's decision to impose the penalty and requiring the penalty to be paid (a "final penalty notice").

(3) A final penalty notice must require the penalty to be paid within the period of 28 days beginning with the day after the day on which the final penalty notice was given.

(4) A final penalty notice must—

- (a) state that the amount of the penalty is £5000;
- (b) state the reasons for the imposition of the penalty;
- (c) state the period within which the penalty must be paid;
- (d) explain the consequences of not paying the penalty within that period;
- (e) provide information about how to pay the penalty;
- (f) contain information about the right of appeal under regulation 8.