



Criminal Justice and Police Act 2001

2001 CHAPTER 16

PART 1

PROVISIONS FOR COMBATTING CRIME AND DISORDER

CHAPTER 1

ON THE SPOT PENALTIES FOR DISORDERLY BEHAVIOUR

Penalty notices and penalties

3 Amount of penalty and form of penalty notice

(1) The penalty payable in respect of a penalty offence is such amount as the Secretary of State may specify by order.

[^{F1}(1A) The Secretary of State may specify different amounts for persons of different ages.]

(2) But the Secretary of State may not specify an amount which is more than a quarter of the amount of the maximum fine for which a person is liable on [^{F2}summary] conviction of the offence.

(3) A penalty notice must—

- (a) be in the prescribed form;
- (b) state the alleged offence;
- (c) give such particulars of the circumstances alleged to constitute the offence as are necessary to provide reasonable information about it;
- (d) specify the suspended enforcement period (as to which see section 5) and explain its effect;
- (e) state the amount of the penalty;
- (f) state the justices' chief executive to whom, and the address at which, the penalty may be paid; and

Status: Point in time view as at 01/11/2004. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Police Act 2001, Section 3. (See end of Document for details)

- (g) inform the person to whom it is given of his right to ask to be tried for the alleged offence and explain how that right may be exercised.
- (4) “Prescribed” means prescribed by regulations made by the Secretary of State.
- (5) The power to make regulations or an order conferred by this section is exercisable by statutory instrument.
- (6) Such an instrument shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Textual Amendments

- F1** S. 3(1A) inserted (20.1.2004) by Anti-social Behaviour Act 2003 (c. 38), ss. 87(4), 93; S.I. 2003/3300, art. 2(f)(iii)
- F2** Word in s. 3(2) inserted (1.11.2004) by The Criminal Justice and Police Act 2001 (Amendment) and Police Reform Act 2002 (Modification) Order 2004 (S.I. 2004/2540), arts. 1(4), 3

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