



# Clean Neighbourhoods and Environment Act 2005

## 2005 CHAPTER 16

### PART 9

#### MISCELLANEOUS

##### *Use of fixed penalty receipts*

#### **97 Use of fixed penalty receipts: lower tier authorities**

- (1) The appropriate person must by regulations make provision relating to—
  - (a) the use by a parish or community council of amounts received by it in pursuance of notices under—
    - (i) section 88 of the Environmental Protection Act 1990 (c. 43);
    - (ii) section 43(1) of the Anti-social Behaviour Act 2003 (c. 38); and
    - (iii) section 59 above; and
  - (b) the use by a person or body designated under section 58(3) above as a secondary authority for the purposes of Chapter 1 of Part 6 above of amounts received by that person or body in pursuance of notices under section 59 above.
- (2) Regulations under this section may in particular include provision requiring a parish or community council or a person or body referred to in subsection (1)(b)—
  - (a) to use the amounts received as specified in subsection (1) only for the purpose of such of its functions as may be specified in the regulations;
  - (b) to pay sums in respect of those amounts to another person (including the appropriate person);
  - (c) to supply information in relation to those amounts to the appropriate person;
  - (d) to adopt such accounting arrangements in respect of those amounts as may be specified in the regulations.

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*Status: This is the original version (as it was originally enacted).*

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- (3) Regulations under this section may include provision framed by reference to performance categories conferred on a parish or community council by such person as may be specified in the regulations.