

*These notes refer to the Compensation Act 2006
(c.29) which received Royal Assent on 25 July 2006*

COMPENSATION ACT 2006

EXPLANATORY NOTES

COMMENTARY ON SECTIONS: PART 2

Section 7: Enforcement: offence

55. *Subsection 1* creates an offence of providing regulated claims management services in contravention of section 4(1). Any person providing such services when not either authorised, exempt from the requirement for authorisation or subject to a waiver by the Regulator, and who is not an individual acting on a voluntary basis, would be committing an offence under this section.
56. *Subsection 2* specifies the penalty for the offence. On summary conviction, the maximum penalty is 51 weeks imprisonment (six months until the relevant provisions of the Criminal Justice Act 2003 are commenced), a fine or both. For a conviction on indictment, the maximum period of imprisonment is two years. It is envisaged that sentences at the higher end of the scale would only be imposed for the more serious offences (particularly where the offence is repeated).