



Regulatory Enforcement and Sanctions Act 2008

2008 CHAPTER 13

PART 3

CIVIL SANCTIONS

Fixed monetary penalties

39 Fixed monetary penalties

- (1) The provision which may be made under this section is provision to confer on a regulator the power by notice to impose a fixed monetary penalty on a person in relation to a relevant offence.
- (2) Provision under this section may only confer such a power in relation to a case where the regulator is satisfied beyond reasonable doubt that the person has committed the relevant offence.
- (3) For the purposes of this Part a “fixed monetary penalty” is a requirement to pay to a regulator a penalty of a prescribed amount.
- (4) Where the relevant offence is—
 - (a) triable summarily (whether or not it is also triable on indictment), and
 - (b) punishable on summary conviction by a fine (whether or not it is also punishable by a term of imprisonment),the amount of the fixed monetary penalty may not exceed the maximum amount of that fine.

Modifications etc. (not altering text)

C1 S. 39(4) excluded (15.2.2011) by [Waste \(Wales\) Measure 2010 \(nawm 8\)](#), **ss. 10(3)(a)**, 21(2)

Status:

Point in time view as at 15/02/2011. This version of this provision has been superseded.

Changes to legislation:

Regulatory Enforcement and Sanctions Act 2008, Section 39 is up to date with all changes known to be in force on or before 18 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.