

SCHEDULES

SCHEDULE 1

CIVIL SANCTIONS

PART 3

ENFORCEMENT UNDERTAKINGS

- 10 (1) This paragraph applies where—
- (a) the Secretary of State has reasonable grounds to suspect that a person has committed an offence under section 12,
 - (b) the person offers an undertaking (an “enforcement undertaking”) to take specified action, within a specified period,
 - (c) the action specified is—
 - (i) action to secure that the offence does not continue or recur, or
 - (ii) action of a prescribed description,
 - and
 - (d) the Secretary of State accepts the undertaking.
- (2) Unless the person has failed to comply with the undertaking or any part of it—
- (a) the person may not at any time be convicted of an offence under section 12 in respect of the act or omission to which the undertaking relates;
 - (b) the Secretary of State may not impose on the person any monetary penalty that he or she would otherwise have power to impose by virtue of paragraph 1 in respect of that act or omission.