

## SCHEDULE 3

### Civil sanctions

## PART 1

### Power to impose civil sanctions

#### **Combination of penalties**

7.—(1) The regulator may not serve a notice of intent relating to a fixed monetary penalty if, in relation to the same offence—

- (a) a compliance notice, restoration notice or stop notice has been served on that person (see paragraphs 2, 3, and 18);
- (b) a variable monetary penalty has been imposed on that person (see paragraph 5); or
- (c) a third party or enforcement undertaking has been accepted from that person (see paragraphs 10 and 24).

(2) The regulator may not serve a notice of intent relating to a compliance notice, a restoration notice, or a variable monetary penalty, or serve a stop notice, on any person if, in relation to the same offence—

- (a) a fixed monetary penalty has been imposed on that person; or
- (b) that person has discharged liability for a fixed monetary penalty following service of a notice of intent to impose that penalty.