
STATUTORY INSTRUMENTS

2020 No. 1375

**The Health Protection (Coronavirus, Restrictions)
(Local Authority Enforcement Powers and
Amendment) (England) Regulations 2020**

PART 2

Enforcement Powers

Fixed Penalty Notice

8.—(1) A local authority officer designated for the purposes of this regulation (“local authority designated officer”) may issue a fixed penalty notice to any person that the officer reasonably believes—

- (a) has committed an offence under this Part; and
- (b) is (in the case of an individual) aged 18 or over.

(2) But no more than one fixed penalty notice may be issued in relation to a failure to comply with a single Coronavirus Improvement Notice, Coronavirus Immediate Restriction Notice or Coronavirus Restriction Notice.

(3) A fixed penalty notice is a notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of the amount specified in paragraph (4) to an authority specified in the notice.

(4) The amount is—

- (a) £2,000 where the offence is described in regulation 6(1)(a);
- (b) £4,000 where the offence is described in regulation 6(1)(b) or (c).

(5) The authority specified in the notice must be—

- (a) the local authority (or as the case may be, any of the local authorities) in whose area the offence is alleged to have been committed (“the relevant local authority”); or
- (b) an officer designated by the Secretary of State, or by the relevant local authority, for the purposes of this regulation.

(6) Where a person is issued with a notice pursuant to this regulation in respect of an offence—

- (a) no proceedings may be taken for the offence before the end of the period of 28 days beginning with the day after the date of the notice;
- (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.

(7) A fixed penalty notice must—

- (a) give reasonably detailed particulars of the circumstances alleged to constitute the offence;
- (b) state the period during which (because of paragraph (6)(a)) proceedings will not be taken for the offence;

- (c) specify the amount of the fixed penalty;
- (d) state the name and address of the person to whom the fixed penalty may be paid; and
- (e) specify permissible methods of payment.

(8) Whatever other method may be specified pursuant to paragraph (7)(e), payment of a fixed penalty may be made by pre-paying and posting to the person whose name is stated pursuant to paragraph (7)(d), at the stated address, a letter containing the amount of the penalty (in cash or otherwise).

(9) Where a letter is sent as mentioned in paragraph (8), payment is regarded as having been made at the time at which that letter would be delivered in the ordinary course of post.

(10) In any proceedings, a certificate that—

- (a) purports to be signed by or on behalf of—
 - (i) the chief finance officer of the relevant local authority, where the authority to which payment is made is a local authority; or
 - (ii) the officer referred to in paragraph (5)(b), where that officer is the authority to which payment is made; and
- (b) states that the payment of a fixed penalty was, or was not, received by the date specified in the certificate,

is evidence of the facts stated.

(11) In this regulation “chief finance officer”, in relation to a local authority, means the person with responsibility for the authority’s financial affairs.