
WELSH STATUTORY INSTRUMENTS

2010 No. 2880

The Single Use Carrier Bags Charge (Wales) Regulations 2010

PART 5

Civil sanctions

Civil sanctions

12. The following Schedules have effect—

- (a) Schedule 2, which makes provision for fixed monetary penalties⁽¹⁾;
- (b) Schedule 3, which makes provision for discretionary requirements⁽²⁾.

Combination of penalties

13.—(1) An administrator may not serve a notice of intent in relation to a fixed monetary penalty on a seller if a discretionary requirement has been imposed on that seller in relation to the same breach.

(2) An administrator may not serve a notice of intent in relation to a discretionary requirement on a seller in any of the following circumstances—

- (a) where a fixed monetary penalty has been imposed on that seller in relation to the same breach;
- (b) where the seller has discharged liability to a fixed monetary penalty in respect of the same breach by payment of a specified sum;
- (c) where a discretionary requirement has previously been imposed in respect of the same act or omission.

(1) For the meaning of “fixed monetary penalty” *see* paragraph 10(3) of Schedule 6 to the Climate Change Act 2008.

(2) For the meaning of “discretionary requirement” *see* paragraph 12(3) of Schedule 6 to that Act.