



Dog Fouling (Scotland) Act 2003

2003 asp 12

8 Request for hearing

- (1) A person to whom a fixed penalty notice has been issued may, before the expiry of the period for paying, give notice requesting a hearing in respect of the offence to which the fixed penalty notice relates.
- (2) A notice requesting a hearing under subsection (1) shall be in writing and shall be sent by post or delivered to the local authority specified in the fixed penalty notice at the address so specified.
- (3) For the purposes of this section, unless the contrary is proven, the sending of a notice by post is deemed to have been effected at the time at which the notice would be delivered in the ordinary course of post.
- (4) Where a person has requested a hearing in accordance with this section—
 - (a) the fixed penalty shall not be payable; and
 - (b) on receipt of a request for a hearing, a person authorised for the purpose of notification by the local authority in whose area the offence was committed shall notify the procurator fiscal unless the fixed penalty notice is withdrawn under section 13.