

Status: Point in time view as at 12/11/2009.

Changes to legislation: *Marine and Coastal Access Act 2009, Paragraph 2 is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

SCHEDULES

SCHEDULE 7

FURTHER PROVISION ABOUT CIVIL SANCTIONS UNDER PART 4

Fixed monetary penalties: other sanctions

- 2 (1) Provision under section 93 must secure that, in a case where a notice of intent referred to in section 94(2)(a) is served on a person—
- (a) no criminal proceedings for the offence to which the notice relates may be instituted against the person in respect of the act or omission to which the notice relates before the end of the period in which the person may discharge liability to the fixed monetary penalty pursuant to section 94(2)(b), and
 - (b) if the person so discharges liability, the person may not at any time be convicted of the offence to which the notice relates in relation to that act or omission.
- (2) Provision under section 93 must also secure that, in a case where a fixed monetary penalty is imposed on a person—
- (a) that person may not at any time be convicted of the offence in relation to which the penalty is imposed in respect of the act or omission giving rise to the penalty;
 - (b) the enforcement authority may not issue a compliance notice or a remediation notice to that person in respect of the act or omission giving rise to the penalty.

Commencement Information

II [Sch. 7 para. 2](#) partly in force; [Sch. 7 para. 2](#) in force for specified purposes at Royal Assent see [s. 324\(1\)\(c\)](#)

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