



Postal Services Act 2000

2000 CHAPTER 26

PART II

LICENCES FOR POSTAL SERVICES

Financial penalties

32 Imposition of penalties: main procedural requirements

- (1) Before imposing a penalty under section 30, the Commission shall—
 - (a) give notice of the proposed penalty, and
 - (b) consider any representations made in accordance with the notice and not withdrawn.
- (2) The notice shall state—
 - (a) that the Commission proposes to impose a penalty,
 - (b) the amount of the proposed penalty,
 - (c) the condition which the Commission is satisfied has been contravened or is being contravened,
 - (d) the acts or omissions which the Commission considers constitute the contravention,
 - (e) any other facts which the Commission considers justify the imposition of a penalty and the amount of the proposed penalty,
 - (f) the manner in which, and place at which, it is proposed to require the penalty to be paid, and
 - (g) the period (not less than 21 days starting with the date of publication of the notice) within which representations may be made in relation to the proposed penalty.
- (3) As soon as practicable after imposing a penalty, the Commission shall give notice of the penalty.
- (4) The notice shall state—

Status: This is the original version (as it was originally enacted).

- (a) that the Commission has imposed a penalty on the licence holder,
 - (b) the amount of the penalty,
 - (c) the condition which the Commission is satisfied has been contravened or is being contravened,
 - (d) the acts or omissions which the Commission considers constitute the contravention,
 - (e) any other facts which the Commission considers justify the imposition of a penalty and the amount of the penalty,
 - (f) the manner in which, and place at which, the penalty is required to be paid, and
 - (g) the date or dates, no earlier than the end of the period of 42 days from the date of service of the notice on the licence holder, by which the penalty or (as the case may be) different portions of it are required to be paid.
- (5) The licence holder may, within 21 days of the date of service on him of a notice under subsection (3), apply to the Commission for it to specify a different date or (as the case may be) different dates by which the penalty or (as the case may be) different portions of it are to be paid.
- (6) A notice under this section shall be given by—
- (a) serving a copy of the notice on the licence holder and the Council, and
 - (b) publishing the notice in such manner as the Commission considers appropriate for the purpose of bringing the matters to which the notice relates to the attention of persons likely to be affected by them.
- (7) This section has effect subject to section 33.