
DRAFT STATUTORY RULES OF NORTHERN IRELAND

2012 No.

The Single Use Carrier Bags Charge
Regulations (Northern Ireland) 2012

PART 7

Administration

Guidance as to use of civil sanctions

21.—(1) The Administrator shall publish guidance about its use of civil sanctions under these Regulations.

(2) The guidance shall contain the information specified at paragraphs (5) and (6) as appropriate.

(3) The Administrator shall revise the guidance where appropriate.

(4) The Administrator shall have regard to the guidance or revised guidance in exercising its functions.

(5) In the case of guidance relating to a fixed monetary penalty, the information referred to in paragraph (2) is information as to—

- (a) the circumstances in which the penalty is likely to be imposed;
- (b) the circumstances in which the penalty may not be imposed;
- (c) the amount of the penalty;
- (d) how liability for the penalty may be discharged and the effect of discharge;
- (e) rights to make representations and objections; and
- (f) rights of appeal.

(6) In the case of guidance relating to a discretionary requirement, the information referred to in paragraph (2) is information as to—

- (a) the circumstances in which the requirement is likely to be imposed;
- (b) the circumstances in which the requirement may not be imposed;
- (c) in the case of a variable monetary penalty, the matters likely to be taken into account by the Administrator in determining the amount of the penalty (including, where relevant, any discounts for voluntary reporting of non-compliance);
- (d) rights to make representations and objections; and
- (e) rights of appeal.