

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE

CONTRAVENTION OF SECTION 33 OF THE ENVIRONMENTAL PROTECTION ACT 1990 (“THE 1990 ACT”) NOTICE OF OPPORTUNITY TO PAY FIXED PENALTYThe 1990 Act, section 33A

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Alleged offender:

Address:

I, (a) an authorised officer/a constable (delete as necessary) of (b) have reason to believe that on (c) you committed an offence, under section 33(1)(d) of the Environmental Protection Act 1990, at (e). This notice offers you the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty. The circumstances alleged to constitute the offence are as follows:

No proceedings will be taken for this offence before the expiration of fourteen days following the date of this notice. You will not be liable to conviction for the offence if you pay the fixed penalty during that period of fourteen days.

The amount of the fixed penalty is (f). It may be paid to (g) at the following address: (h).

Payment may be made by pre-paying and posting to (g) at (h) a letter containing the amount of the penalty. Payment may be in cash, or by a cheque, postal order or money order made payable to (g). (If you are sending cash you are advised to send it by registered post). Payment made in this way will be regarded as having been made at the time at which the letter would be delivered in the ordinary course of post. Alternatively, payment may be made in person or by any other method.

Signature of authorised officer or constable
Date.....

Letter which may be used for payment by post

I enclose with this letter the amount of , being the fixed penalty for an offence under section 33(1) of the Environmental Protection Act 1990.

Signature
Name in Capitals
Date.....

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- (a) Inset name of authorised officer or constable.
 - (b) Inset name of local authority, SEPA or, as the case may be, police force.
 - (c) Inset date on which offence is alleged to have been committed.
 - (d) Inset whether this is a contravention of section 33(1)(a) or 33(1)(c) of the 1990 Act.
 - (e) Inset place where offence is alleged to have been committed.
 - (f) Inset amount of £50, or any different amount for the time being specified by the Scottish Ministers under section 33A(10) of the 1990 Act.
 - (g) Inset details of the person to whom the fixed penalty is to be paid
 - (h) Inset address at which payment is to be made.