
DRAFT STATUTORY INSTRUMENTS

2002 No.

**The Road Traffic (Vehicle Emissions)
(Fixed Penalty) (England) Regulations 2002**

PART 7

FIXED PENALTY NOTICES

Withdrawal of fixed penalty notice

20.—(1) A fixed penalty notice may be withdrawn in any case in which the appropriate authority determines that it—

- (a) ought not to have been issued, or
 - (b) ought not to have been issued to the person named as the person to whom it was issued.
- (2) Where a fixed penalty notice has been withdrawn in accordance with paragraph (1)—
- (a) notice of the withdrawal shall be given to the person to whom the notice was issued;
 - (b) any amount paid by way of fixed penalty in pursuance of that notice shall be repaid to the person who paid it; and
 - (c) no proceedings shall be continued or instituted against that person for the offence in connection with which the withdrawn notice was issued.