DRAFT STATUTORY INSTRUMENTS

2015 No.

The Passenger, Crew and Service Information (Civil Penalties) Regulations 2015

Objection to penalty decision

6.—(1) The recipient of a penalty notice (the "recipient") may object to the penalty notice by giving a notice of objection to the Secretary of State.

(2) A notice of objection must—

(a) be in writing,

(b) give the reasons for the objection,

(c) be given to the Secretary of State in the manner and form specified in the penalty notice, and

(d) be given before the end of the period of 28 days beginning with the date specified in the penalty notice as the date on which it is given.

(3) Where the Secretary of State receives a notice of objection, the Secretary of State must consider it and—

(a) cancel the penalty,

(b) reduce the penalty,

(c) increase the penalty, or

(d) determine not to alter the penalty.

(4) After reaching a decision as to how to proceed under paragraph (3), the Secretary of State must notify the recipient of the decision in writing.

(5) A notification under paragraph (4) must be given before the end of the period of 70 days beginning with the date specified in the penalty notice as the date on which it is given, or such longer period as the Secretary of State may agree with the recipient.

(6) A notification under paragraph (4), other than one notifying the recipient that the Secretary of State has decided to cancel the penalty, must—

(a) state the amount of the penalty following the Secretary of State's consideration of the notice of objection,

(b) state the Secretary of State's reasons for the decision under paragraph (3),

(c) specify the date, at least 28 days after the date on which the notification is given, before which the penalty must be paid,

(d) specify how the penalty must be paid,

(e) include an explanation of the person's rights of appeal, and

(f) include an explanation of the steps the Secretary of State may take to recover any unpaid penalty.