



London Local Authorities Act 2004

2004 CHAPTER i

PART 4

FIXED PENALTIES

18 Fixed penalties: reserve powers of Secretary of State

- (1) Where the borough councils set any levels of fixed penalties under subsection (1) of section 17 (Levels of fixed penalties) of this Act, they shall notify the Secretary of State of the levels of fixed penalties so set.
- (2) Where notification of any levels of fixed penalties is required to be given under subsection (1) above, the levels of fixed penalties shall not come into force until after the expiration of—
 - (a) the period of one month beginning with the day on which the notification is given; or
 - (b) such shorter period as the Secretary of State may allow.
- (3) If, before the expiration of that period, the Secretary of State gives notice to the joint committee that he objects to the levels of fixed penalties on the grounds that some or all of them are or may be excessive, those levels of fixed penalties shall not come into force unless and until the objection has been withdrawn.
- (4) If, at any time before the levels of fixed penalties required to be notified under subsection (1) above to the Secretary of State have come into force, the Secretary of State considers that some or all of them are excessive, he may make regulations setting the levels of fixed penalties.
- (5) Levels of fixed penalties set under subsection (4) above must be no higher than those notified under subsection (1) above.
- (6) Regulations under subsection (4) above are without prejudice to the duty imposed on borough councils by subsection (1) of the said section 17; but where the Secretary of State makes any such regulations the councils must not set any further fixed penalties

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under the said subsection (1) until after the expiration of the period of 12 months beginning with the day on which the regulations are made.