



Clean Air Act 1993

1993 CHAPTER 11

PART VII

MISCELLANEOUS AND GENERAL

Administration and enforcement

50 Cumulative penalties on continuance of certain offences

(1) Where—

- (a) a person is convicted of an offence which is subject to cumulative penalties on continuance in accordance with this section; and
- (b) it is shown to the satisfaction of the court that the offence was substantially a repetition or continuation of an earlier offence by him after he had been convicted of the earlier offence,

the penalty provided by subsection (2) shall apply instead of the penalty otherwise specified for the offence.

(2) Where this subsection applies the person convicted shall be liable on summary conviction to a fine not exceeding—

- (a) level 5 on the standard scale; or
- (b) £50 for every day on which the earlier offence has been so repeated or continued by him within the three months next following his conviction of that offence,

whichever is the greater.

(3) Where an offence is subject to cumulative penalties in accordance with this section—

- (a) the court by which a person is convicted of the original offence may fix a reasonable period from the date of conviction for compliance by the defendant with any directions given by the court; and
- (b) where a court has fixed such a period, the daily penalty referred to in subsection (2) is not recoverable in respect of any day before the end of that period.