



# Noise Act 1996

## 1996 CHAPTER 37

### *Summary procedure for dealing with noise at night*

#### **9 Section 8: supplementary**

- (1) If a form for a fixed penalty notice is specified in an order made by the Secretary of State, a fixed penalty notice must be in that form.
- (2) If a fixed penalty notice is given to a person in respect of noise emitted from a dwelling in any period specified in a warning notice—
  - (a) no further fixed penalty notice may be given to that person in respect of noise emitted from the dwelling during that period, but
  - (b) that person may be convicted of a further offence under section 4 in respect of noise emitted from the dwelling after the fixed penalty notice is given and before the end of that period.
- (3) The Secretary of State may from time to time by order amend section 8(8) so as to change the amount of the fixed penalty payable under that section.
- (4) Sums received by a local authority under section 8 must be paid to the Secretary of State.
- (5) In proceedings for an offence under section 4, evidence that payment of a fixed penalty was or was not made before the end of any period may be given by the production of a certificate which—
  - (a) purports to be signed by or on behalf of the person having responsibility for the financial affairs of the local authority, and
  - (b) states that payment of a fixed penalty was made on any date or, as the case may be, was not received before the end of that period.