

Status: Point in time view as at 26/01/2009.

Changes to legislation: Climate Change Act 2008, Cross Heading: Costs recovery is up to date with all changes known to be in force on or before 11 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 6

CHARGES FOR SINGLE USE CARRIER BAGS

PART 2

CIVIL SANCTIONS

Costs recovery

- 17 (1) Provision under paragraph 12 may include provision for an administrator, by notice, to require a person on whom a discretionary requirement is imposed to pay the costs incurred by the administrator in relation to the imposition of the discretionary requirement up to the time of its imposition.
- (2) In sub-paragraph (1), the reference to costs includes in particular—
- (a) investigation costs;
 - (b) administration costs;
 - (c) costs of obtaining expert advice (including legal advice).
- (3) Provision under this paragraph must secure that, in any case where a notice requiring payment of costs is served—
- (a) the notice specifies the amount required to be paid;
 - (b) the administrator may be required to provide a detailed breakdown of that amount;
 - (c) the person required to pay costs is not liable to pay any costs shown by the person to have been unnecessarily incurred;
 - (d) the person required to pay costs may appeal against—
 - (i) the decision of the administrator to impose the requirement to pay costs;
 - (ii) the decision of the administrator as to the amount of those costs.
- (4) Provision under this paragraph may include the provision referred to in paragraph 16(1)(b) and (c) and (2).
- (5) Provision under this paragraph must secure that the administrator is required to publish guidance about how the administrator will exercise the power conferred by the provision.

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