

Status: Point in time view as at 01/10/2011.

Changes to legislation: Marine and Coastal Access Act 2009, Cross Heading: Guidance as to enforcement of offences is up to date with all changes known to be in force on or before 14 July 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 10

FURTHER PROVISION ABOUT FIXED MONETARY PENALTIES UNDER SECTION 142

Guidance as to enforcement of offences

- 6 (1) Where power is conferred on an enforcement authority under section 142 to impose a fixed monetary penalty in relation to an offence, the enforcement authority must prepare and publish guidance about how the offence is enforced.
- (2) The guidance must include guidance as to—
- (a) the sanctions (including criminal sanctions) to which a person who commits the offence may be liable,
 - (b) the action which the enforcement authority may take to enforce the offence, whether by virtue of section 142 or otherwise, and
 - (c) the circumstances in which the enforcement authority is likely to take any such action.
- (3) The enforcement authority may from time to time revise guidance published by it under this paragraph and publish the revised guidance.
- (4) The enforcement authority must consult such persons as it considers appropriate before publishing any guidance or revised guidance under this paragraph.

Commencement Information

- II** Sch. 10 para. 6 partly in force; Sch. 10 para. 6 in force for specified purposes at 12.1.2010 see s. 324(2)(b)(i)

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