



Policing and Crime Act 2017

2017 CHAPTER 3

PART 8

FINANCIAL SANCTIONS

Civil sanctions

146 Power to impose monetary penalties

- (1) The Treasury may impose a monetary penalty on a person if it is satisfied, on the balance of probabilities, that—
 - (a) the person has breached a prohibition, or failed to comply with an obligation, that is imposed by or under financial sanctions legislation, and
 - (b) the person knew, or had reasonable cause to suspect, that the person was in breach of the prohibition or (as the case may be) had failed to comply with the obligation.
- (2) The amount of the penalty is to be such amount as the Treasury may determine but it may not exceed the permitted maximum.
- (3) In a case where the breach or failure relates to particular funds or economic resources and it is possible to estimate the value of the funds or economic resources, the permitted maximum is the greater of—
 - (a) £1,000,000, and
 - (b) 50% of the estimated value of the funds or resources.
- (4) In any other case, the permitted maximum is £1,000,000.
- (5) In subsection (3), “funds” and “economic resources” have the same meanings as they have in the financial sanctions legislation that contains the prohibition or obligation in respect of which the monetary penalty is imposed.
- (6) The Treasury must keep the amount for the time being specified in subsection (3)(a) or (4) under review.

Status: This is the original version (as it was originally enacted).

- (7) The Treasury may by regulations made by statutory instrument amend subsection (3) (a) or (4) so as to substitute another amount for the amount for the time being specified in it.
- (8) Regulations under subsection (7) may include transitional provision.
- (9) Before making regulations under subsection (7), the Treasury must consult such persons as it considers appropriate.
- (10) A statutory instrument containing regulations under subsection (7) may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (11) Any monetary penalty payable under this section is recoverable by the Treasury as a civil debt.
- (12) Any monetary penalty received by the Treasury by virtue of this section must be paid into the Consolidated Fund.
- (13) This section does not authorise the imposition of a monetary penalty on the Crown.