



Policing and Crime Act 2017

2017 CHAPTER 3

PART 8 U.K.

FINANCIAL SANCTIONS

Civil sanctions

147 Monetary penalties: procedural rights U.K.

- (1) Before imposing a monetary penalty on a person under section 146, the Treasury must inform the person of its intention to do so.
- (2) The Treasury must also—
 - (a) explain the grounds for imposing the penalty,
 - (b) specify the amount of the penalty,
 - (c) explain that the person is entitled to make representations, and
 - (d) specify the period within which any such representations must be made.
- (3) If (having considered any representations), the Treasury decides to impose the penalty, the Treasury must—
 - (a) inform the person of its decision,
 - (b) explain that the person is entitled to seek a review by a Minister of the Crown, and
 - (c) specify the period within which the person must inform the Treasury that the person wishes to seek such a review.
- (4) If the person seeks a review, the Minister may—
 - (a) uphold the decision to impose the penalty and its amount,
 - (b) uphold the decision to impose the penalty but substitute a different amount, or
 - (c) cancel the decision to impose the penalty.

^{F1}(5)

Changes to legislation: Policing and Crime Act 2017, Section 147 is up to date with all changes known to be in force on or before 08 August 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) View outstanding changes

- (6) If on a review under subsection (4) the Minister decides to uphold the Treasury's decision to impose the penalty and its amount, or to uphold the Treasury's decision to impose the penalty but to substitute a different amount, the person may appeal (on any ground) to the Upper Tribunal.
- (7) On an appeal under subsection (6), the Upper Tribunal may quash the Minister's decision and if it does so may—
- (a) quash the Treasury's decision to impose the penalty;
 - (b) uphold that decision but substitute a different amount for the amount determined by the Treasury (or, in a case where the Minister substituted a different amount, by the Minister).
- (8) In this section, “Minister of the Crown” means the holder of an office in Her Majesty's Government in the United Kingdom.

Textual Amendments

- F1** S. 147(5) omitted (15.6.2022) by [Economic Crime \(Transparency and Enforcement\) Act 2022 \(c. 10\)](#), ss. 55, 69(2); S.I. 2022/638, reg. 2
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Commencement Information

- I1** S. 147 in force for specified purposes at Royal Assent, see s. 183
- I2** S. 147 in force at 1.4.2017 in so far as not already in force by [S.I. 2017/482](#), reg. 2

Changes to legislation:

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/1139, reg. 2 by [S.I. 2017/1162 reg. 2](#)