



Prevention of Damage by Pests Act 1949

1949 CHAPTER 55 12 13 and 14 Geo 6

PART I

RATS AND MICE

5 Remedies for failure to comply with notice under s. 4.

- (1) Subject to the provisions of the last foregoing section with respect to appeals, if any person on whom a notice is served by the local authority under that section fails to take any steps required by the notice at the time or within the period prescribed by the notice, the local authority may themselves take those steps and recover from him any expenses reasonably incurred by them in doing so.
- (2) Without prejudice to the provisions of subsection (1) of this section, but subject to the provisions of the last foregoing section with respect to appeals, a person who fails to take any steps as aforesaid shall be guilty of an offence and liable on summary conviction to a fine not exceeding in the case of a first offence [^{F1}fifty pounds][^{F1}level 3 on the standard scale], and in the case of a second or any subsequent offence [^{F2}one hundred pounds][^{F2}level 3 on the standard scale].

Textual Amendments

- F1** “level 3 on the standard scale” substituted (S.) for “fifty pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), ss. 289E–289G
- F2** “level 3 on the standard scale” substituted (S.) for “one hundred pounds” by virtue of [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), ss. 289E–289G

Modifications etc. (not altering text)

- C1** [S. 5\(2\): Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), ss. 35 (in relation to liability on first and subsequent convictions), 38 (increase of fines) and 46 (substitution of references to levels on the standard scale) apply (E.W.)

Status:

Point in time view as at 06/04/2010.

Changes to legislation:

There are currently no known outstanding effects for the Prevention of Damage by Pests Act 1949, Section 5.