

SCHEDULE

Regulation 4

PENALTY CHARGES NOTICES

Contents of a penalty charge notice served under regulation 5

1. A penalty charge notice served under regulation 5 must, in addition to the matters required to be included in it by regulation 3(2) of the Representations and Appeals Regulations, state—

- (a) The date on which the notice is served
- (b) the name of the enforcement authority;
- (c) the registration mark of the vehicle involved in the alleged contravention;
- (d) the date and the time at which the alleged contravention occurred;
- (e) the grounds on which the civil enforcement officer issuing the notice believes that a penalty charge is payable;
- (f) the amount of the penalty charge;
- (g) that the penalty charge must be paid before the end of the period of 28 days beginning with the date on which the alleged contravention occurred;
- (h) that if the penalty charge is paid before the end of the period of 14 days beginning with the date on which the notice is served, the penalty charge will be reduced by the amount of any applicable discount;
- (i) the manner in which the penalty charge must be paid;
- (j) that if the penalty charge is not paid before the end of the period of 28 days referred to in subparagraph (g), a notice to owner may be served by the enforcement authority on the owner of the vehicle;
- (k) that a person on whom a notice to owner is served will be entitled to make representations to the enforcement authority against the penalty charge and may appeal to an adjudicator if those representations are rejected; and
- (l) that, if representations against the penalty charge are received at such address as may be specified for the purpose before a notice to owner is served,-
 - (i) those representations will be considered;
 - (ii) but that, if a notice to owner is served notwithstanding those representations, representations against the penalty charge must be made in the form and manner and at the time specified in the notice to owner.

Contents of a regulation 6 penalty charge

2. A regulation 6 penalty charge notice, in addition to the matters required to be included in it by regulation 3(4) of the Representations and Appeals Regulations, must state—

- (a) The date of the notice;
- (b) the matters specified in paragraphs 1(b),(c), (d), (f) and (i);
- (c) the grounds on which the enforcement authority believes that a penalty charge is payable;
- (d) that the penalty charge must be paid not later than a specified date which must be the last day of the period of 28 days beginning with the date on which the penalty charge notice will be taken to have been served;
- (e) that if the penalty charge is paid before the end of the applicable period, the penalty charge will be reduced by the amount of any applicable discount;

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- (f) that if after the date specified in accordance with subparagraph (d)
 - (i) no representations have been made in accordance with regulation 4 of the Representations and Appeals Regulations; and
 - (ii) the penalty charge has not been paid,the enforcement authority may increase the penalty charge by the amount of any applicable surcharge and take steps to enforce payment of the charge as so increased; and
 - (g) that the penalty charge notice is being served by post for whichever of the following reasons applies—
 - (i) that the penalty charge notice is being served by post on the basis of a record produced by an approved device;
 - (ii) that it is being so served, because a civil enforcement officer attempted to serve a penalty charge notice by affixing it to the vehicle or giving it to the person in charge of the vehicle but was prevented from doing so by some person; or
 - (iii) that it is being so served because a civil enforcement officer had begun to prepare a penalty charge notice in accordance with regulation 5, but the vehicle was driven away from the place in which it was stationary before the civil enforcement officer had finished preparing the penalty charge notice or had served it in accordance with regulation 5.
3. In paragraph 2 for the purposes of subparagraph (e) the “applicable period” is—
- (a) in the case of a penalty charge notice served by virtue of regulation 6(1)(a) (on the basis of a record produced by an approved device), 21 days beginning with the date on which the notice is to be taken to have been served;
 - (b) in any other case, 14 days beginning with that date.