
STATUTORY INSTRUMENTS

2012 No. 3118

The Energy Performance of Buildings
(England and Wales) Regulations 2012

PART 7

Enforcement

Recovery of penalty charges

41.—(1) The amount of the penalty charge is recoverable from the recipient of the penalty charge notice as a debt owed to the authority unless—

- (a) the notice has been withdrawn or quashed; or
- (b) the charge has been paid.

(2) Proceedings for the recovery of the penalty charge may not be commenced before the end of the period mentioned in regulation 39(1).

(3) If within that period the recipient of the penalty charge notice gives notice to the authority that he wishes the authority to review the penalty charge notice, such proceedings may not be commenced—

- (a) before the end of the period mentioned in regulation 40(1); and
- (b) where the recipient appeals against the penalty charge notice, before the end of the period of 28 days beginning with the day on which the appeal is withdrawn or determined.

(4) In proceedings for the recovery of the penalty charge, a certificate which—

- (a) purports to be signed by or on behalf of the person having responsibility for the financial affairs of the enforcement authority; and
- (b) states that payment of the penalty charge was or was not received by a date specified in the certificate,

is evidence of the facts stated.

Status:

Point in time view as at 09/01/2013.

Changes to legislation:

There are currently no known outstanding effects for the The Energy Performance of Buildings (England and Wales) Regulations 2012, Section 41.