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STATUTORY INSTRUMENTS

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**2015 No. 1693**

**The Smoke and Carbon Monoxide  
Alarm (England) Regulations 2015**

**PART 4**

**Penalty charges**

**Recovery of penalty charge**

**12.**—(1) The local housing authority may recover the penalty charge on the order of a court, as if payable under a court order.

(2) Proceedings for the recovery of the penalty charge may not be started before the end of the period specified under regulation 9(1)(e).

(3) Paragraph (4) applies if, within that period, the landlord gives notice to the local housing authority that the landlord wishes the authority to review the penalty charge notice.

(4) Proceedings for the recovery of the penalty charge may not be started—

- (a) before the end of the period within which the landlord may appeal to the First-tier Tribunal against the local housing authority's decision on review; and
- (b) where the landlord so appeals, before the end of the period of 28 days beginning with the day on which the appeal is finally determined or withdrawn.

(5) In proceedings for the recovery of the penalty charge a certificate which is—

- (a) signed by the local housing authority's chief finance officer (within the meaning of section 5 of the Local Government and Housing Act 1989(1)), and
- (b) states that the penalty charge has not been received by a date specified in that certificate, is conclusive evidence of that fact, and a certificate to that effect and purporting to be signed is to be treated as being signed, unless the contrary is proved.

(6) Sums received by a local housing authority under a penalty charge may be used by the authority for any of its functions.

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**Commencement Information**

**II** Reg. 12 in force at 1.10.2015, see [reg. 1\(1\)](#)

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(1) 1989 c. 42; amendments have been made to section 5 but they are not relevant to these Regulations.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Smoke and Carbon Monoxide Alarm (England) Regulations 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 6A inserted by [S.I. 2022/707 reg. 12](#)
- reg. 1(3) inserted by [S.I. 2022/707 reg. 3\(2\)](#)
- reg. 4(1)(c) and word inserted by [S.I. 2022/707 reg. 5\(a\)\(iv\)](#)
- reg. 4(3A) inserted by [S.I. 2022/707 reg. 5\(b\)](#)
- reg. 5(4)-(7) inserted by [S.I. 2022/707 reg. 6](#)
- reg. 6(1A) inserted by [S.I. 2022/707 reg. 7\(b\)](#)
- reg. 6(3) inserted by [S.I. 2022/707 reg. 7\(d\)](#)
- reg. 7(6) inserted by [S.I. 2022/707 reg. 8\(c\)](#)
- reg. 16 inserted by [S.I. 2022/707 reg. 11](#)