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STATUTORY INSTRUMENTS

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**2018 No. 761**

**The Equine Identification (England) Regulations 2018**

**PART 6**

Civil sanctions

**Receipts**

**47.**—(1) Subject to paragraph (2) and (3), an enforcing authority may retain sums (“receipts”) paid in respect of enforcement notices served under this Part.

(2) The amount which an enforcing authority may retain under paragraph (1) must not exceed reasonable and necessary costs (“costs”) incurred, in relation to enforcement notices, by the authority in discharging its functions under Parts 4 and 5 and this Part.

(3) If receipts exceed costs, the enforcing authority must pay the excess into the Consolidated Fund.

(4) For the purposes of paragraph (2), costs may include, in relation to enforcement notices—

- (a) investigation costs;
- (b) administration costs; and
- (c) costs of obtaining expert advice, including legal advice.

(5) Upon request from the Secretary of State, an enforcing authority must provide to the Secretary of State information as to receipts and costs.

(6) In this regulation, “enforcement notices” means non-compliance penalty notices and fixed monetary penalty notices.