

*These notes relate to the Dog Fouling (Scotland) Act 2003
(asp 12) which received Royal Assent on 22 April 2003*

DOG FOULING (SCOTLAND) ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 7: Restrictions on proceedings

33. This section prevents criminal proceedings being brought for the offence of dog fouling against the person named in the fixed penalty notice unless that person requests a hearing before the expiry of the “period for paying.” The section also provides that criminal proceedings may be brought where a fixed penalty notice has been withdrawn under section 12. The period of paying is defined in section 16 as being the period of 28 days beginning with the day after the day on which the fixed penalty notice was issued. The number of days in the period for paying may be amended by an order made by the Scottish Ministers which is subject to negative resolution procedure (see section 16(1) and (2)).