



London Local Authorities Act 2007

2007 CHAPTER ii

PART 4

PENALTY CHARGES AND FIXED PENALTIES

Penalty Charges

61 Penalty charges

- (1) This section applies where a borough council have reason to believe that a penalty charge is payable to them by virtue of a penalty charge provision.
- (2) The borough council may serve a penalty charge notice on the person appearing to them to be the appropriate recipient.
- (3) A penalty charge notice under this section must—
 - (a) state—
 - (i) the grounds on which the council believe that the penalty charge is payable;
 - (ii) the amount of the penalty charge which is payable;
 - (iii) that the penalty charge must be paid before the end of the period of 28 days beginning with the date of the notice;
 - (iv) that if the penalty charge is paid before the end of the period of 14 days beginning with the date of the notice, the amount of the penalty charge will be reduced by the specified proportion;
 - (v) that, if the penalty charge is not paid before the end of the 28 day period, an increased charge may be payable;
 - (vi) the amount of the increased charge;
 - (vii) the address to which payment of the penalty charge must be sent; and
 - (viii) that the person on whom the notice is served may be entitled to make representations under subsection (1) of section 62 (representations and appeals) of this Act; and
 - (b) specify the form in which any such representations are to be made.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (4) The Secretary of State may by regulations prescribe—
- (a) additional matters which must be dealt with in any penalty charge notice; and
 - (b) the time within which a penalty charge notice must be served.
- (5) In subsection (3)(a)(iv) above, “specified proportion” means such proportion, applicable in all cases, as may be determined for the purposes of this section by the borough councils acting through a joint committee.
- (6) Schedule 4 to this Act shall have effect with respect to financial provisions relating to the provisions of this section.
- (7) In this section—
- “appropriate recipient” means the appropriate recipient for the purposes of this section designated as such by the relevant penalty charge provision;
 - “penalty charge provision” means any enactment which is by the enactment itself or by another enactment designated as a penalty charge provision for the purposes of this section.
- (8) In determining, for the purposes of any provision of this Part of this Act, whether a penalty charge has been paid before the end of a particular period, it shall be taken to be paid when it is received by the council.