



Criminal Justice and Police Act 2001

2001 CHAPTER 16

PART 1

PROVISIONS FOR COMBATTING CRIME AND DISORDER

CHAPTER 1

ON THE SPOT PENALTIES FOR DISORDERLY BEHAVIOUR

Procedure

10 Enforcement of fines

- (1) In this section—
 - “fine” means a sum which is enforceable as a fine as a result of section 9;
 - and
 - “proceedings” means proceedings for enforcing a fine.
- (2) Subsection (3) applies if, in any proceedings, the defaulter claims that he was not the person to whom the penalty notice concerned was issued.
- (3) The court may adjourn the proceedings for a period of not more than 28 days for the purpose of allowing that claim to be investigated.
- (4) On the resumption of proceedings that have been adjourned under subsection (3), the court must accept the defaulter’s claim unless it is shown, on a balance of probabilities, that he was the recipient of the penalty notice.
- (5) The court may set aside a fine in the interests of justice.
- (6) If the court does set a fine aside it must—
 - (a) give such directions for further consideration of the case as it considers appropriate; or

Status: *This is the original version (as it was originally enacted).*

- (b) direct that no further action is to be taken in respect of the allegation that gave rise to the penalty notice concerned.