

Status: This version of this provision is prospective.

Changes to legislation: Education and Skills Act 2008, Section 65 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes



Education and Skills Act 2008

2008 CHAPTER 25

PART 1

DUTY TO PARTICIPATE IN EDUCATION OR TRAINING: ENGLAND

CHAPTER 6

MISCELLANEOUS

PROSPECTIVE

65 Financial penalties

- (1) A penalty payable by virtue of a penalty notice under—
 - (a) section 22,
 - (b) section 31, or
 - (c) section 53,is payable to the [^{F1}local authority] which issued the notice.
- (2) Any sums received by a [^{F1}local authority] under any of those sections may be used by the authority for the purposes of any of its functions which may be specified in regulations but, to the extent that they are not so used, must be paid in accordance with regulations to the Secretary of State.
- (3) A penalty under section 22 or 31 (and any interest or financial penalty for late payment) is recoverable, if [^{F2}the county court] so orders, as if it were payable under an order of that court.
- (4) Where a person is required by a penalty notice given under section 22 or 31 to pay a financial penalty, and
 - (a) has given a notice of objection to the [^{F1}local authority] under section 23 or 33, or

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(b) has appealed against the giving of the penalty notice under section 24 or 34, the penalty is not enforceable until the authority has given a determination notice under section 23 or 33 in relation to the penalty notice, or, as the case may be, the appeal has been determined.

Textual Amendments

- F1** Words in Act substituted (5.5.2010) by [The Local Education Authorities and Children's Services Authorities \(Integration of Functions\) Order 2010 \(S.I. 2010/1158\)](#), **Sch. 2 para. 15(2)**
- F2** Words in s. 65(3) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), **Sch. 9 para. 52**; [S.I. 2014/954](#), art. 2(c) (with art. 3) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

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

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

- s. 91(3)(c) inserted by [2022 asc 1 Sch. 4 para. 22\(3\)](#)