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**Changes to legislation:** There are currently no known outstanding effects for the Counter-Terrorism Act 2008, Cross Heading: Power to impose civil penalties. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 7

#### TERRORIST FINANCING AND MONEY LAUNDERING

##### PART 6

###### ENFORCEMENT: CIVIL PENALTIES

###### *Power to impose civil penalties*

- 25 (1) An enforcement authority may impose a penalty of such amount as it considers appropriate on a person who fails to comply with a requirement imposed—
- (a) by a direction under this Schedule, or
  - (b) by a condition of a licence under paragraph 17.

For this purpose “appropriate” means effective, proportionate and dissuasive.

- (2) No such penalty is to be imposed if the authority is satisfied that the person took all reasonable steps and exercised all due diligence to ensure that the requirement would be complied with.
  - (3) In deciding whether to impose a penalty for failure to comply with a requirement, an enforcement authority must consider whether the person followed any relevant guidance which was at the time—
    - (a) issued by a supervisory authority or any other appropriate body,
    - (b) approved by the Treasury, and
    - (c) published in a manner approved by the Treasury as suitable in their opinion to bring the guidance to the attention of persons likely to be affected by it.
  - (4) In sub-paragraph (3) “appropriate body” means a body which regulates or is representative of any trade, profession, business or employment carried on by the person.
  - (5) A person on whom a penalty is imposed under this paragraph is not liable to be proceeded against for an offence under paragraph 30 in respect of the same failure.
- [<sup>F1</sup>25A(1) An enforcement authority may impose a penalty of such amount as it considers appropriate on a relevant person who has intentionally participated in activities knowing that the object or effect of them was (whether directly or indirectly) to circumvent a requirement imposed by a direction under this Schedule.
- (2) In sub-paragraph (1) “appropriate” means effective, proportionate and dissuasive.
  - (3) A person on whom a penalty is imposed under this paragraph is not liable to be proceeded against for an offence under paragraph 30A in respect of participation in the same activities.]

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**Textual Amendments**

**F1** Sch. 7 para. 25A inserted (17.12.2010) by [Terrorist Asset-Freezing etc. Act 2010 \(c. 38\)](#), ss. **50(2)**, 55(1)

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