

SCHEDULES

SCHEDULE 10

SECONDARY TICKETING: FINANCIAL PENALTIES

Recovery of financial penalty

- 6 (1) This paragraph applies if a person does not pay the whole or any part of a financial penalty which, in accordance with this Schedule, the person is liable to pay.
- (2) In England and Wales the local weights and measures authority which imposed the financial penalty may recover the penalty or part on the order of the county court as if it were payable under an order of that court.
- (3) In Scotland the penalty may be enforced in the same manner as an extract registered decree arbitral bearing a warrant for execution issued by the sheriff court of any sheriffdom in Scotland.
- (4) In Northern Ireland the Department of Enterprise, Trade and Investment may recover the penalty or part on the order of a county court as if it were payable under an order of that court.
- (5) In proceedings before the court for the recovery of a financial penalty or part of a financial penalty, a certificate which is—
- (a) signed by the chief finance officer of the local weights and measures authority which imposed the penalty or (as the case may be) issued by the Department of Enterprise, Trade and Investment, and
 - (b) states that the amount due has not been received by a date specified in the certificate,
- is conclusive evidence of that fact.
- (6) A certificate to that effect and purporting to be so signed or issued is to be treated as being so signed or issued unless the contrary is proved.
- (7) A local weights and measures authority may use the proceeds of a financial penalty for the purposes of any of its functions (whether or not the function is expressed to be a function of a local weights and measures authority).
- (8) In this paragraph “chief finance officer” has the same meaning as in section 5 of the Local Government and Housing Act 1989.