

## SCHEDULES

### SCHEDULE 9

#### DUTY OF LETTING AGENTS TO PUBLICISE FEES: FINANCIAL PENALTIES

##### *Recovery of financial penalty*

- 6 (1) This paragraph applies if a letting agent does not pay the whole or any part of a financial penalty which, in accordance with this Schedule, the agent is liable to pay.
- (2) 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 proceedings before the county 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, and
  - (b) states that the amount due has not been received by a date specified in the certificate,
- is conclusive evidence of that fact.
- (4) A certificate to that effect and purporting to be so signed is to be treated as being so signed unless the contrary is proved.
- (5) 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).
- (6) In this paragraph “chief finance officer” has the same meaning as in section 5 of the Local Government and Housing Act 1989.