

Changes to legislation: Transport Act 2000, Cross Heading: Amount of penalty is up to date with all changes known to be in force on or before 10 May 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

SCHEDULES

[^{F1}SCHEDULE B1

ENFORCEMENT OF DUTIES UNDER SECTION 8 AND LICENCE CONDITIONS

Textual Amendments

- F1** Sch. B1 inserted (29.6.2021) by [Air Traffic Management and Unmanned Aircraft Act 2021 \(c. 12\)](#), ss. 10(7)(a), 21(3)-(7), [Sch. 5](#); S.I. 2021/748, reg. 2(b)

PART 1

ENFORCEMENT

Amount of penalty

- 13 (1) The amount of a penalty imposed on a person under paragraph 9 or 10 must be the amount that the CAA determines to be—
- (a) appropriate, and
 - (b) proportionate to the contravention for which it is imposed.
- (2) The penalty may consist of either or both of the following—
- (a) a fixed amount (see paragraph 14);
 - (b) a daily amount (see paragraph 15).
- (3) In determining the amount of a penalty, the CAA must have regard, in particular, to—
- (a) any representations made to it in a period specified in a notice proposing to give a penalty under paragraph 11(1) or (6) (and not withdrawn);
 - (b) any steps taken by the licence holder on whom the penalty is to be imposed towards complying with—
 - (i) the requirement specified in the notice under paragraph 11(1) by virtue of paragraph 11(2)(c), and
 - (ii) where the penalty is to be imposed under paragraph 10, the Chapter 1 requirement specified in the notice under paragraph 11(1) by virtue of paragraph 11(2)(e);
 - (c) any steps taken by that licence holder towards remedying the consequences of the contravention of the requirement mentioned in paragraph (b)(i) and, where relevant, paragraph (b)(ii).]

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

- [Blanket amendment words substituted by S.I. 2011/1043 art. 34](#)

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

- [s. 146\(1\)\(defn.\)\(a\)\(b\) by 2000 c. 38 s. 274 Sch. 31 Pt. 2](#)
- [s. 19\(2\)\(aa\) inserted by S.I. 2019/93, Sch. 1 para. 9\(1C\)\(b\) \(as inserted\) by S.I. 2019/1245 reg. 25](#) (This amendment not applied to legislation.gov.uk. The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- [s. 131A\(2\)\(a\) words omitted by 2017 c. 21 Sch. 2 para. 13\(a\)\(i\)](#)
- [s. 131A\(2\)\(b\) omitted by 2017 c. 21 Sch. 2 para. 13\(a\)\(ii\)](#)
- [s. 131A\(4\) omitted by 2017 c. 21 Sch. 2 para. 13\(b\)](#)
- [s. 131A\(5\)\(b\) words omitted by 2017 c. 21 Sch. 2 para. 13\(c\)\(i\)](#)
- [s. 131A\(5\)\(c\) words omitted by 2017 c. 21 Sch. 2 para. 13\(c\)\(ii\)](#)
- [s. 132B\(1\)\(a\) omitted by 2017 c. 21 Sch. 2 para. 19](#)
- [Sch. 16 para. 34\(4\)\(a\)para. 34\(4\)\(b\)\(c\) repealed by 2005 c. 14 Sch. 13 Pt. 1](#)