S T A T U T O R Y I N S T R U M E N T S

2002 No. 1838

CRIMINAL LAW, ENGLAND AND WALES

The Penalties for Disorderly Behaviour (Form of Penalty Notice) Regulations 2002

Made - - - -	*16th July 2002*
Laid before Parliament	*17th July 2002*
Coming into force	*8th August 2002*

The Secretary of State, in exercise of the powers conferred upon him by section 3(3) (having regard to the definition of "prescribed" in section 3(4)) of the Criminal Justice and Police Act 2001**(a)**, and section 26(3)(b) of the Welsh Language Act 1993**(b)**, hereby makes the following Regulations:

1. These Regulations may be cited as the Penalties for Disorderly Behaviour (Form of Penalty Notice) Regulations 2002 and shall come into force on 8th August 2002.

2. The form of penalty notice**(c)** prescribed for the purposes of section 3(3) of the Criminal Justice and Police Act 2001 is—

(a) in the case of a penalty notice issued in England, that set out in Part I of the Schedule to these Regulations; and

(b) in the case of a penalty notice issued in Wales, that set out in Part II of that Schedule.

Home Office
16th July 2002

John Denham
Minister of State

(a) 2001 c.16.
(b) 1993 c.38.
(c) "Penalty notice" is defined in section 2(4) of the Criminal Justice and Police Act 2001.

SCHEDULE — Regulation 2

FORM OF PENALTY NOTICE

PART I

POLICE
PENALTY NOTICE
PENALTY AMOUNT £XX

IMPORTANT – READ THE NOTES ON THE BACK OF THIS FORM

PART 1 RECIPIENT COPY PN No. XX /

TITLE SURNAME

FORENAMES

DATE OF BIRTH (ddmmyyyy) ADDRESS

POST CODE AT HRS.

DATE OF ISSUE OFFENCE DATE

AT (LOCATION)

OFFENCE CODE

YOU (offence particulars) ....

....

CONTRARY TO (Act containing offence)

....

PLACE OF ISSUE: Street ☐ Custody ☐

I acknowledge receipt of this Penalty Notice
Signature ....

ISSUED BY:	Surname	Signature

Warrant No. Division

Rank

PART 2 **COMPLETE ONE SIDE ONLY**

*Send **Part 2** and payment of **£XX** to:*
The Justices' Chief Executive, XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Telephone No. XXX XXXX XXXX

I enclose the sum of £XX as payment in respect of the offence mentioned in PART 1 of this notice.

NAME...
(BLOCK LETTERS)
ADDRESS..
(BLOCK LETTERS)
....
....POST CODE

Or, you may phone the Tel. No. above or complete the following section and pay by credit/debit card

I authorise the Justices' Chief Executive to debit my Mastercard, VISA, Switch or Solo account with the sum of £XX.
Card Holder's Signature ....

Expiry Date Today's date

Credit/Debit Card No.

Issue No.

PART 2a **IMPORTANT**

INFORMATION FOR THE IMMEDIATE ATTENTION OF THE PERSON IN RECEIPT OF THIS NOTICE

You have been handed this notice because the police officer named in part 1 of this notice has reason to believe that you have committed the offence described in part 1. Within 21 days of the **date of issue** you **must either** pay the penalty **or** request that the matter be heard by a court. You may not do both.

If you fail to do either, a fine of 1 1/2 times the **penalty amount** shown in part 1 may be registered with a court as a **fine** against you or you may be charged with the offence for which this notice has been issued, as described in part 1. If you fail to pay the **fine** you may have to pay additional bailiff fees or you may be arrested. If you are charged and convicted you may have to pay court costs in addition to any fine imposed.

If you have been handed this notice for an offence under **section 5 of the Public Order Act 1986 only** (see part 1) you should be aware that there is a statutory defence to the offence under this section.

A record of this notice will be kept in the interest of justice for administration purposes. This information may be used to help decide whether or not to issue you with another disorder penalty notice in relation to any subsequent offences for which such notices may be issued.

A. PAYING THE PENALTY

If you or anyone else choose to pay the penalty amount specified in part 1 you must do so within 21 days of the date of issue, shown in part 1. If you choose to pay no further action will be taken in respect of the offence detailed in part 1: payment of the penalty involves **no admission of guilt** and will **not** result in a record of criminal conviction being made against you.

If you choose to pay the penalty shown in part 1 you may do so by either:

1. Phoning the telephone number in part 2 (the front half of the slip at the bottom of this notice) and quoting your credit/debit card details; or
2. Entering your credit/debit card details in part 2, detaching it and sending it to the address in part 2; or
3. Sending a cheque, money or postal order or cash for the full and exact amount shown in part 1 along with part 2 to the address shown in part 2.

If you wish to pay by credit/debit card you may do so using Mastercard, VISA, Switch or Solo only.
If you pay by method 2 or 3 (above) you **must** write the payer's/card holder's name and address in BLOCK LETTERS in the space provided in part 2.

Cheques, postal orders or money orders should be crossed and made payable to: *The Justices' Chief Executive.* If you choose to pay in cash this must be sent by registered post or an equivalent proof of posting must be obtained. If you require a receipt you must ask for one, and you must supply a stamped, self-addressed envelope. **WARNING: LATE OR PART PAYMENTS WILL NOT BE ACCEPTED. YOU WILL NOT BE SENT A REMINDER.**

B. REQUESTING A COURT HEARING

If you wish to contest the issue of this notice and have **your** case heard in a court of law you **must:**

1. Write your name and address in BLOCK LETTERS in the space provided in part 3 of this penalty notice (this side of the slip at the bottom of the notice).
2. Detach the slip along the perforation and send it to the address shown on the slip.

If you choose to request a court hearing you **must** do so by either returning part 3 of this penalty notice or by writing giving your details and an address at which a summons may be served on you. The summons will tell you when and where to attend court. Only the recipient of this Penalty Notice (the person named in part 1) may request a hearing.

IF YOU HAVE ANY OTHER ENQUIRIES ABOUT THIS NOTICE PLEASE CONTACT THE OFFICE SHOWN AT PART 3

PART 3 **XXXXXXX POLICE**

PLEASE NOTE: YOU SHOULD COMPLETE ONE SIDE OF THIS SLIP ONLY. COMPLETE THIS SIDE (PART 3) IF YOU WISH TO REQUEST A COURT HEARING. ONCE COMPLETE SEND THIS SLIP TO THE ADDRESS SHOWN BELOW.

I wish to be dealt with by a court for the alleged offence described in part 1 of this notice: the Penalty Notice number is shown overleaf.

NAME...
(BLOCK LETTERS)
ADDRESS..
(BLOCK LETTERS)
....

POST CODE

Signed.. Date

Send to: **CTO, XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXXXX Tel. No. XXX XXXX XXXX**

PART II

POLICE
PENALTY NOTICE
PENALTY AMOUNT £XX

IMPORTANT – READ THE NOTES ON THE BACK OF THIS FORM

PART 1 RECIPIENT COPY PN No. XX /

TITLE SURNAME

FORENAMES

DATE OF BIRTH (ddmmyyyy) ADDRESS

POST CODE AT HRS.

DATE OF ISSUE OFFENCE DATE

AT (LOCATION)

OFFENCE CODE

YOU (offence particulars) .....

CONTRARY TO (Act containing offence)

PLACE OF ISSUE: Street ☐ Custody ☐

I acknowledge receipt of this Penalty Notice
Signature .....

ISSUED BY: Surname | Signature

Warrant No. Division

Rank

PART 2 **COMPLETE ONE SIDE ONLY**

*Send **Part 2** and payment of **£XX** to:*
The Justices' Chief Executive, XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Telephone No. XXX XXXX XXXX

I enclose the sum of **£XX** as payment in respect of the offence mentioned in PART 1 of this notice.

NAME.....
(BLOCK LETTERS)
ADDRESS.....
(BLOCK LETTERS)
.....
.....POST CODE

Or, you may phone the Tel. No. above or complete the following section and pay by credit/debit card.

I authorise the Justices' Chief Executive to debit my Mastercard, VISA, Switch or Solo account with the sum of £XX.
Card Holder's Signature .....

Expiry Date Today's date

Credit/Debit Card No.

Issue No.

HYSBYSIAD
COSB YR HEDDLU
MAINT Y GOSB £XX

PWYSIG – DARLLENWCH Y NODIADAU AR GEFN Y FFURFLEN HON

RHAN 1 COPI I'R DERBYNNYDD Rh HC XX /

TEITL CYFENW

ENWAU CYNTAF

DYDDIAD GENI (ddmmbbbb) CYFEIRIAD

CÔD POST AM OG

DYDDIAD CYFLWYNO DYDDIAD Y TROSEDD

YN (LLEOLIAD)

CÔD TROSEDD

RYDYCH (manylion y trosedd) .....

YN GROES I (Deddf sy'n cynnwys y trosedd)

MAN CYFLWYNO Stryd ☐ Dalfa ☐

Cydnabyddaf fy mod wedi derbyn yr Hysbysiad Cosb hwn
Llofnod .....

CYFLWYNWYD GAN: Cyfenw | Llofnod

Gwarant rhif. Rhanbarth

Rheng

RHAN 2 **CWBLHEWCH UN OCHR YN UNIG**

*Anfonwch **Rhan 2** a thaliad o **£xx** at*
Prif Weithredwr yr Ynadon XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Rhif ffôn XXX XXXX XXXX

Amgaeaf y swm o **£XX** fel tâl mewn perthynas â'r trosedd a nodwyd yn RHAN 1 yr hysbysiad hwn.

ENW.....
(LLYTHRENNAU BRAS)
CYFEIRIAD.....
(LLYTHRENNAU BRAS)
.....
.....CÔD POST

Neu, gallwch ffonio'r rhif ffôn uchod neu gallwch lenwi'r adran isod a thalu gyda cherdyn credyd/debyd.

Rwyf yn awdurdodi Prif Weithredwr yr Ynadon i ddebydu'r swm o £xx o fy nghyfrif Mastercard, VISA, Switch neu Solo
Llofnod Deiliad y Cerdyn .....

Dyddiad Dod i Ben Dyddiad Heddiw

Rhif Cerdyn Credyd/Debyd

Rhif cyhoeddi

PART 2a **IMPORTANT**

INFORMATION FOR THE IMMEDIATE ATTENTION OF THE PERSON IN RECEIPT OF THIS NOTICE

You have been handed this notice because the police officer named in part 1 of this notice has reason to believe that you have committed the offence described in part 1. Within 21 days of the **date of issue** you **must either** pay the penalty **or** request that the matter be heard by a court. You may not do both.

If you fail to do either, a fine of 1 1/2 times the **penalty amount** shown in part 1 may be registered with a court as a **fine** against you or you may be charged with the offence for which this notice has been issued, as described in part 1. If you fail to pay the **fine** you may have to pay additional bailiff fees or you may be arrested. If you are charged and convicted you may have to pay court costs in addition to any fine imposed.

If you have been handed this notice for an offence under **section 5 of the Public Order Act 1986 only** (see part 1) you should be aware that there is a statutory defence to the offence under this section.

A record of this notice will be kept in the interest of justice for administration purposes. This information may be used to help decide whether or not to issue you with another disorder penalty notice in relation to any subsequent offences for which such notices may be issued.

A. PAYING THE PENALTY

If you or anyone else choose to pay the penalty amount specified in part 1 you must do so within 21 days of the date of issue, shown in part 1. If you choose to pay no further action will be taken in respect of the offence detailed in part 1: payment of the penalty involves **no admission of guilt** and will **not** result in a record of criminal conviction being made against you.

If you choose to pay the penalty shown in part 1 you may do so by either:

1. Phoning the telephone number in part 2 (the front half of the slip at the bottom of this notice) and quoting your credit/debit card details; or
2. Entering your credit/debit card details in part 2, detaching it and sending it to the address in part 2; or
3. Sending a cheque, money or postal order or cash for the full and exact amount shown in part 1 along with part 2 to the address shown in part 2.

If you wish to pay by credit/debit card you may do so using Mastercard, VISA, Switch or Solo only.
If you pay by method 2 or 3 (above) you **must** write the payer's/card holder's name and address in BLOCK LETTERS in the space provided in part 2.

Cheques, postal orders or money orders should be crossed and made payable to: *The Justices' Chief Executive*. If you choose to pay in cash this must be sent by registered post or an equivalent proof of posting must be obtained. If you require a receipt you must ask for one, and you must supply a stamped, self-addressed envelope. **WARNING: LATE OR PART PAYMENTS WILL NOT BE ACCEPTED. YOU WILL NOT BE SENT A REMINDER.**

B. REQUESTING A COURT HEARING

If you wish to contest the issue of this notice and have **your** case heard in a court of law you **must:**

1. Write your name and address in BLOCK LETTERS in the space provided in part 3 of this penalty notice [this side of the slip at the bottom of the notice].
2. Detach the slip along the perforation and send it to the address shown on the slip.

If you choose to request a court hearing you **must** do so by either returning part 3 of this penalty notice or by writing giving your details and an address at which a summons may be served on you. The summons will tell you when and where to attend court. Only the recipient of this Penalty Notice (the person named in part 1) may request a hearing.

IF YOU HAVE ANY OTHER ENQUIRIES ABOUT THIS NOTICE PLEASE CONTACT THE OFFICE SHOWN AT PART 3

PART 3 **XXXXXXX POLICE**

PLEASE NOTE: YOU SHOULD COMPLETE ONE SIDE OF THIS SLIP ONLY. COMPLETE THIS SIDE (PART 3) IF YOU WISH TO REQUEST A COURT HEARING. ONCE COMPLETE SEND THIS SLIP TO THE ADDRESS SHOWN BELOW.

I wish to be dealt with by a court for the alleged offence described in part 1 of this notice: the Penalty Notice number is shown overleaf.

NAME.....
(BLOCK LETTERS)

ADDRESS.....
(BLOCK LETTERS)

.....

POST CODE

Signed..... Date

Send to: **CTO, XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX XXXXXXXXXXXXXXXXXXXXX Tel. No. XXX XXXX XXXX**

RHAN 2a **PWYSIG**

GWYBODAETH ER SYLW UNIONGYRCHOL Y SAWL SY'N DERBYN YR HYSBYSIAD HWN

Cyflwynwyd yr hysbysiad hwn i chi oherwydd bod gan y swyddog a enwir yn rhan 1 o'r hysbysiad hwn reswm i gredu eich bod wedi cyflawni'r troseddau a ddisgrifir yn rhan1. O fewn 21 niwrnod i **ddyddiad cyflwyno'r hysbysiad** rhaid i chi **naill** ai dalu'r gosb **neu** wneud cais bod y mater yn cael ei glywed mewn llys. Ni chaniateir i chi wneud y ddau.

Os nad ydych yn gwneud y naill beth na 'r llall, gellid cofrestru **dirwy** 1½ gwaith yn fwy na'r **gosb** a nodwyd yn rhan 1 yn eich erbyn mewn llys neu gellid eich cyhuddo o 'r troseddau y cyflwynwyd yr hysbysiad hwn amdano, yn ôl y disgrifiad yn rhan 1. Os nad ydych yn talu 'r **ddirwy** efallai y bydd raid i chi dalu ffioedd beili ychwanegol neu gallech gael eich arestio. Os cewch eich cyhuddo a 'ch cael yn euog, efallai y bydd raid i chi dalu costau llys yn ogystal ag unrhyw ddirwy a bennir.

Os cyflwynwyd yr hysbysiad hwn i chi am drosedd dan **adran 5 Deddf Trefn Gyhoeddus 1986 yn unig** (gweler rhan 1) dylech fod yn ymwybodol bod amddiffyniad statudol i 'r troseddau dan yr adran hon.

Er mwyn cyflawnder, cedwir cofnod o'r hysbysiad hwn i ddibenion gweinyddol. Gellid defnyddio 'r wybodaeth hon i gynorthwyo â'r gwaith o benderfynu os dylid cyflwyno hysbysiad o gosb anhrefn arall i chi mewn perthynas ag unrhyw droseddau dilynol y gellid cyflwyno hysbysiadau o 'r fath amdanynt.

A. TALU'R GOSB

Os ydych chi, neu unrhyw un arall, yn dewis talu 'r gosb a nodwyd yn rhan 1, rhaid i chi wneud hynny o fewn 21 niwrnod i'r dyddiad cyflwyno a nodwyd yn rhan 1. Os ydych yn dewis talu, ni fydd unrhyw weithredu pellach mewn perthynas â'r trosedd a nodwyd yn rhan 1; nid yw talu 'r gosb yn golygu **unrhyw addefiad o euogrwydd** ac **ni** gofnodir collfarn droseddol yn eich erbyn o ganlyniad i hyn.

Os ydych yn dewis talu'r gosb a nodwyd yn rhan 1, gallwch wneud hynny naill ai

1. Drwy ffonio'r rhif ffôn yn rhan 2 (hanner blaen y slip ar waelod yr hysbysiad hwn) a dyfynnu manylion eich cerdyn credyd/debyd; neu
2. Nodi manylion eich cerdyn credyd/debyd yn rhan 2, ei ddatgysylltu oddi wrth gweddill y dudalen a 'i anfon i'r cyfeiriad yn rhan 2: neu
3. Anfon siec, archeb bost neu archeb arian neu arian parod am yr union swm yn llawn fel a nodwyd yn rhan 1 gyda rhan 2 i'r cyfeiriad a nodwyd yn rhan 2.

Os ydych yn dymuno talu gyda cherdyn credyd/debyd, gallwch wneud hynny drwy ddefnyddio Mastercard, VISA, Switch neu Solo yn unig.

Os ydych yn talu drwy ddefnyddio dull 2 neu 3 (uchod) **rhaid** i chi ysgrifennu enw a chyfeiriad y sawl sy 'n talu/deiliad y cerdyn mewn LLYTHRENNAU BRAS yn y lle gwag a ddarparwyd yn rhan 2.

Dylid croesi sieciau, archebion post neu archebion arian a 'u gwneud yn daladwy i: Prif Weithredwr yr Ynadon. Os ydych yn dewis talu mewn arian parod, rhaid ei anfon drwy 'r post cofrestredig neu rhaid cael prawf postio cyfatebol. Os oes arnoch angen derbynneb, rhaid gofyn am un a rhaid i chi ddarparu amlen barod RHYBUDD: NI DDERBYNNIR TALIADAU HWYR NEU DALIADAU RHANNOL. NI FYDDWN YN ANFON NODYN ATGOFFA ATOCH.

B. GWNEUD CAIS AM WRANDAWIAD LLYS

Os ydych yn dymuno dadlau yn erbyn cyflwyno 'r hysbysiad hwn a chael clywed eich achos mewn llys, **rhaid** i chi

1. Ysgrifennu eich enw a 'ch cyfeiriad mewn LLYTHRENNAU BRAS yn y lle gwag a ddarparwyd yn rhan 3 yr hysbysiad cosb hwn (ochr yma i'r slip ar waelod yr hysbysiad)
2. Datgysylltwch y slip ar hyd y llinell dyllog a 'i anfon i'r cyfeiriad a nodir ar y slip

Os ydych yn dewis gwrandawiad llys, **rhaid** gwneud hynny naill ai drwy ddychwelyd rhan3 o 'r hysbysiad cosb hwn neu drwy ysgrifennu gan roi eich manylion a chyfeiriad lle y gellir cyflwyno gwŷs i chi. Bydd y gwŷs yn rhoi gwybod i chi pryd a lle y dylech fynychu 'r llys. Dim ond y sawl sy'n derbyn yr Hysbysiad Cosb hwn (y sawl a enwyd yn rhan 1) sy 'n gallu gwneud cais am wrandawiad.

OS OES GENNYCH UNRHYW YMHOLIADAU ERAILL YNGHYLCH YR HYSBYSIAD HWN, CYSYLLTWCH Â'R SWYDDFA A NODWYD YN RHAN 3

RHAN 3 **HEDDLU XXXXXXX**

NODER OS GWELWCH YN DDA: DYLECH LENWI UN OCHR YN UNIG O 'R SLIP HWN. LLENWCH YR OCHR HON (RHAN 3) OS YDYCH YN DYMUNO GWNEUD CAIS AM WRANDAWIAD LLYS. AR ÔL LLENWI 'R SLIP, ANFONWCH EF I 'R CYFEIRIAD ISOD.

Yr wyf yn dymuno i lys ddelio â'm hachos mewn perthynas â'r trosedd honedig a ddisgrifiwyd yn rhan 1 o'r hysbysiad hwn: nodwyd rhif yr Hysbysiad o Gosb dros y dudalen.

ENW.....
(LLYTHRENNAU BRAS)

CYFEIRIAD.....
(LLYTHRENNAU BRAS)

.....

CÔD POST

Llofnod..... Dyddiad

Anfoner i: **Swyddfa Docynnau Ganolog, xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx xxxxxxxxxxxxxxxxxxxxxxxxxxxxxxxx Rhif Ffôn: xxxx xxxxx xxxxx**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations prescribe the form of the penalty notice that must be used by a constable in dealing with a penalty offence by way of a penalty under Chapter I (on the spot penalties for disorderly behaviour) of the Criminal Justice and Police Act 2001 (c.16).

S T A T U T O R Y I N S T R U M E N T S

2002 No. 1838

CRIMINAL LAW, ENGLAND AND WALES

The Penalties for Disorderly Behaviour (Form of Penalty Notice) Regulations 2002

£2.00

© Crown copyright 2002

Printed and published in the UK by The Stationery Office Limited
under the authority and superintendence of Carol Tullo,
Controller of Her Majesty's Stationery Office and Queen's Printer of
Acts of Parliament

E1201 8/02 ON (MFK)