

Regulation (EU) 2018/956 of the European Parliament and of the Council of 28 June 2018 on the monitoring and reporting of CO₂ emissions from and fuel consumption of new heavy-duty vehicles (Text with EEA relevance)

Article 9

Administrative fines

- 1 The Commission may impose an administrative fine in each of the following cases:
- a where it finds that the data reported by the manufacturer pursuant to Article 5 of this Regulation deviate from the data resulting from the manufacturer's records file or the engine type-approval certificate issued within the framework of Regulation (EC) No 595/2009, and the deviation is intentional or due to serious negligence;
 - b where the data are not submitted within the deadline applicable pursuant to Article 5(1) and the delay cannot be duly justified.

The Commission shall, for the purposes of verifying the data referred to in point (a), consult with the relevant approval authorities.

The administrative fines shall be effective, proportional and dissuasive and shall not exceed EUR 30 000 per heavy-duty vehicle concerned by deviating or delayed data as referred to in points (a) and (b).

2 The Commission shall, on the basis of the principles set out in paragraph 3 of this Article, adopt delegated acts in accordance with Article 13 to supplement this Regulation by laying down the procedure, methods for the calculation and collection of the administrative fines referred to in paragraph 1 of this Article.

- 3 The delegated acts referred to in paragraph 2 shall respect the following principles:
- a the procedure established by the Commission shall respect the right to good administration, and in particular the right to be heard and the right to have access to the file, while respecting the legitimate interests of confidentiality and of commercial secrets;
 - b in calculating the appropriate administrative fine, the Commission shall be guided by the principles of effectiveness, proportionality and dissuasiveness, taking into consideration, where relevant, the seriousness and effects of the deviation or delay, the number of heavy-duty vehicles concerned by the deviating or delayed data, the good faith of the manufacturer, the degree of diligence and cooperation of the manufacturer, the repetition, frequency or duration of the deviation or the delay as well as prior sanctions imposed on the same manufacturer;
 - c administrative fines shall be collected without undue delay by fixing deadlines for the payment and, as appropriate, including the possibility of splitting payments into several instalments and phases.

4 The amounts of the administrative fines shall be considered as revenue for the general budget of the Union.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) 2018/956 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 9(1) sum substituted by [S.I. 2019/846 reg. 13\(2\)\(c\)\(ii\)](#)
- Art. 9(1) words omitted by [S.I. 2019/846 reg. 13\(2\)\(c\)\(i\)](#)
- Art. 9(1) words substituted by [S.I. 2019/846 reg. 13\(2\)\(a\)\(i\)](#)
- Art. 9(1) words substituted by [S.I. 2019/846 reg. 13\(2\)\(b\)](#)
- Art. 9(2) substituted by [S.I. 2019/846 reg. 13\(3\)](#)
- Art. 9(3) words substituted by [S.I. 2019/846 reg. 13\(4\)\(a\)](#)
- Art. 9(4) omitted by [S.I. 2019/846 reg. 13\(5\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/846 reg. 20](#)
- Annex 1 Pt. B footnote g words inserted by [S.I. 2022/1361 reg. 15\(7\)\(b\)\(vi\)](#)
- Annex 1 Pt. A heading words substituted by [S.I. 2019/846 reg. 21\(2\)\(a\)](#)
- Annex 1 Pt. A point (a) words substituted by [S.I. 2019/846 reg. 21\(2\)\(b\)](#)
- Annex 1 Pt. C words substituted by [S.I. 2019/846 reg. 21\(3\)](#)
- Annex 1 Pt. A point (d) words substituted by [S.I. 2022/1361 reg. 15\(6\)\(a\)](#)
- Annex 1 Pt. A point (g) words substituted by [S.I. 2022/1361 reg. 15\(6\)\(b\)](#)
- Annex 1 Pt. A point (k) words substituted by [S.I. 2022/1361 reg. 15\(6\)\(c\)](#)
- Annex 1 Pt. B Table 1 words inserted by [S.I. 2022/1361 reg. 15\(7\)\(a\)](#)
- Annex 1 Pt. B Table 2 words inserted by [S.I. 2022/1361 reg. 15\(7\)\(b\)\(i\)](#)
- Annex 1 Pt. B Table 2 words inserted by [S.I. 2022/1361 reg. 15\(7\)\(b\)\(ii\)](#)
- Annex 1 Pt. B Table 2 words inserted by [S.I. 2022/1361 reg. 15\(7\)\(b\)\(iii\)](#)
- Annex 1 Pt. B Table 2 words inserted by [S.I. 2022/1361 reg. 15\(7\)\(b\)\(iv\)](#)
- Annex 1 Pt. B Table 2 words inserted by [S.I. 2022/1361 reg. 15\(7\)\(b\)\(v\)](#)
- Art. 2(a) words inserted by [S.I. 2022/1361 reg. 15\(2\)](#)
- Art. 3(a) words inserted by [S.I. 2022/1361 reg. 15\(3\)\(a\)](#)
- Art. 3(c) inserted by [S.I. 2022/1361 reg. 15\(3\)\(b\)](#)
- Art. 5(3)(4) inserted by [S.I. 2019/846 reg. 8\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). Reg. 8 substituted on (2.12.2020) by [S.I. 2020/1402](#), regs. 1(2), 22)
- Art. 6A inserted by [S.I. 2019/846 reg. 10](#)
- Art. 6A(2) words substituted in earlier amending provision [S.I. 2019/846](#), reg. 10 by [S.I. 2020/1402 reg. 23\(2\)\(a\)](#)
- Art. 6A(3) words omitted in earlier amending provision [S.I. 2019/846](#), reg. 10 by [S.I. 2020/1402 reg. 23\(2\)\(b\)](#)
- Art. 7(2)(3) substituted for Art. 7(2) by [S.I. 2019/846 reg. 11\(3\)](#)
- Art. 9(1)(a) words inserted by [S.I. 2022/1361 reg. 15\(5\)](#)
- Art. 9(1)(a) words substituted by [S.I. 2019/846 reg. 13\(2\)\(a\)\(ii\)](#)
- Art. 9(3)(a) words omitted by [S.I. 2019/846 reg. 13\(4\)\(b\)](#)
- Art. 9(3)(b) word substituted by [S.I. 2019/846 reg. 13\(4\)\(c\)\(iii\)](#)
- Art. 9(3)(b) words omitted by [S.I. 2019/846 reg. 13\(4\)\(c\)\(ii\)](#)
- Art. 9(3)(b) words substituted by [S.I. 2019/846 reg. 13\(4\)\(c\)\(i\)](#)
- Art. 11(1)(d) omitted by [S.I. 2019/846 reg. 15\(3\)\(b\)](#)
- Art. 11A inserted by [S.I. 2019/846 reg. 16](#)