
DRAFT STATUTORY INSTRUMENTS

2019 No.

**The Heavy Duty Vehicles (Emissions and Fuel
Consumption) (Amendment) (EU Exit) Regulations 2019**

Amendment of Article 9

13.—(1) Article 9 (administrative fines) is amended as follows.

(2) In paragraph 1—

(a) in the first subparagraph—

(i) for “Commission” substitute “Secretary of State”;

(ii) in point (a), for “it” substitute “the Secretary of State”;

(b) in the second subparagraph, for “Commission” substitute “Secretary of State”;

(c) in the third subparagraph—

(i) omit “shall be effective, proportional and dissuasive and”;

(ii) for “EUR 30 000” substitute “£26,000”.

(3) For paragraph 2, substitute—

“**2.** Regulations may make provision in relation to administrative fines.

Regulations made under this paragraph may, in particular:

(a) make provision about the amount of an administrative fine;

(b) provide for the payment of an administrative fine into the consolidated fund;

(c) set out the procedure to be followed in imposing an administrative fine;

(d) set out the procedure for the collection and enforcement of an administrative fine;

(e) provide for a right of appeal against the imposition of a penalty.”.

(4) In paragraph 3—

(a) for the opening words substitute “The Secretary of State, in making regulations under paragraph 2, must have regard to the following principles”;

(b) in point (a) omit “the procedure established by the Commission shall respect”;

(c) in point (b)—

(i) for “Commission” substitute “Secretary of State”;

(ii) omit “be guided by the principles of effectiveness, proportionality and dissuasiveness,”;

(iii) for “taking” substitute “take”.

(5) Omit paragraph 4.