

---

DRAFT STATUTORY INSTRUMENTS

---

**2023 No.**

**The Vehicle Emissions Trading Schemes Order 2023**

**Part 6**

**Civil penalties**

**Provision of false or misleading information: SPV manufacturers**

**106.**—(1) The administrator may impose the penalties in paragraph (2) where an SPV manufacturer provides false or misleading information under an obligation on an SPV manufacturer in [article 74](#) (provision of information to the administrator).

(2) The penalties are—

- (a) where the false or misleading information is the information or evidence specified in [article 74\(4\)\(a\)](#) to [\(d\)](#), the financial penalty of—
  - (i) £7,500;
  - (ii) £15,000 for each ZE SPV of category M1 to which the false or misleading information relates; and
  - (iii) £18,000 for each ZE SPV which is of category N1, or which is of category N2 and which falls within the description in paragraph (c) of the definition in “van” in [article 3\(1\)](#), to which the false or misleading information relates;
- (b) where the false or misleading information is information other than that specified in [sub-paragraph \(a\)](#), the financial penalty of £750;
- (c) publication; and
- (d) a block.

(3) The administrator may impose the penalties in paragraph (4) where an SPV manufacturer provides false or misleading information in a notification given by an SPV manufacturer under [article 78](#) (error notification).

(4) The penalties are—

- (a) where the false or misleading information is that specified in [paragraph 1\(i\)](#) or [\(r\)](#) of [Schedule 7](#) (fuel type and fuel mode and electric range), the financial penalty of—
  - (i) £7,500; and
  - (ii) £15,000 for each ZE SPV of category M1 to which the false or misleading information relates;
- (b) where the false or misleading information is that specified in [paragraph 6\(k\)](#) or [\(r\)](#) of [Schedule 7](#) (fuel type and fuel mode and electric range), the financial penalty of—
  - (i) £7,500; and
  - (ii) £18,000 for each ZE SPV which is of category N1, or which is of category N2 and which falls within the description in paragraph (c) of the definition in “van” in [article 3\(1\)](#), to which the false or misleading information relates;

- (c) where the false or misleading information is information other than that mentioned in [sub-paragraph \(a\)](#) or [\(b\)](#), the financial penalty of £750;
- (d) publication; and
- (e) a block.

(5) The administrator may impose the penalties in paragraph (6) where an SPV manufacturer provides false or misleading information in response to a notice given by the administrator under [article 81](#) (power to require information for purposes of Trading Schemes).

- (6) The penalties are—
  - (a) the financial penalty of £7,500; and
  - (b) publication.

(7) The administrator may impose the penalties in paragraph (8) where an SPV manufacturer provides false or misleading information in response to a notice given by the administrator or an authorised person under [article 86](#) (power of administrator to require information where suspected failure to comply with this Order).

- (8) The penalties are—
  - (a) the financial penalty of £750,000 or, if lower, 0.5% of the turnover of the SPV manufacturer for its financial year ending during the scheme year to which the false or misleading information relates;
  - (b) publication; and
  - (c) a block.