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DRAFT STATUTORY INSTRUMENTS

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**2023 No.**

The Vehicle Emissions Trading Schemes Order 2023

Part 6

Civil penalties

**Waiver and modification of civil penalties**

**96.**—(1) Where the administrator considers appropriate, the administrator may—

- (a) waive a penalty;
- (b) allow additional time to pay a financial penalty;
- (c) impose a lower financial penalty than the amount provided for in articles 97 to 106 or substitute such a lower financial penalty where one has already been imposed; or
- (d) modify the application of a publication or a block.

(2) Where at any time before a financial penalty is due to be paid the administrator ceases to be satisfied that the person is liable for that penalty, the administrator may serve a further notice on that person to—

- (a) withdraw the penalty notice; or
- (b) modify the penalty notice by substituting a lower penalty.

(3) Before exercising a power in this article, the administrator must consult the relevant national authorities<sup>(1)</sup>.

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<sup>(1)</sup> See section 47 of the Climate Change Act 2008 for the meaning of “relevant national authorities”.