



Vehicles (Excise) Act 1971 (Repealed 1.9.1994)

1971 CHAPTER 10

Miscellaneous

24 Marking of engines and bodies.

- (1) The Secretary of State may by regulations make such provision as he thinks appropriate with respect to the marking of the engines and bodies of mechanically propelled vehicles.
- (2) Without prejudice to the generality of subsection (1) above regulations under this section may include provision—
 - (a) as to the persons by whom and the times at which engines and bodies of vehicles are to be marked;
 - (b) as to the form of any mark and the manner and position in which it is to be made; and
 - (c) for requiring particulars of marks made in pursuance of the regulations to be furnished to the Secretary of State.

25 Review of Secretary of State's decisions relating to motor traders, etc.

- (1) If the Secretary of State—
 - (a) rejects an application by a motor dealer for an allocation of temporary licences or registration marks in pursuance of this Act; or
 - (b) requires a motor dealer or any other person to surrender any unissued temporary licences allocated to the dealer in pursuance of this Act or cancels an allocation of registration marks made to a dealer in pursuance of this Act; or
 - (c) refuses an application for a trade licence made by a motor trader or vehicle tester within the meaning of section 16 of this Act,

and the dealer, trader, tester or other person in question requests the Secretary of State within the prescribed period to review his decision, it shall be the duty of the Secretary

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of State to comply with the request and, in doing so, to consider any representations made to him in writing within the period aforesaid by the person who made the request.

- (2) Such a requirement or cancellation as is mentioned in subsection (1)(b) above shall not take effect before the expiration of the period aforesaid and, where during that period a request is made in pursuance of that subsection in respect of the requirement or cancellation, shall not take effect before the Secretary of State gives notice in writing of the result of the review to the person who made the request.

For the purposes of this subsection a notice may be given to any person by delivering it to him or by leaving it at his proper address or by sending it to him by post; and for the purposes of this subsection and [^{F1}section 7 of the ^{M1}Interpretation Act 1978] in its application to this subsection the proper address of any person shall be his latest address as known to the person giving the notice.

Textual Amendments

F1 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\), s. 25\(2\)](#)

Marginal Citations

M1 [1978 c. 30.](#)

26 Forgery and false information.

- (1) If any person forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person—
- (a) any mark to be fixed or sign to be exhibited on a mechanically propelled vehicle in accordance with section 19 or 21 of this Act; or
 - (b) any trade plates or replacements such as are mentioned in section 23(c) of this Act; or
 - (c) any licence or registration document under this Act,
- he shall be liable on summary conviction to a fine not exceeding £200 or on conviction on indictment to imprisonment for a term not exceeding two years.
- (2) Any person who—
- (a) in connection with an application for a licence or for the allocation of temporary licences or registration marks makes a declaration which to his knowledge is false or in any material respect misleading; or
 - (b) being required by virtue of this Act to furnish particulars relating to, or to the keeper of, any vehicle, furnishes any particulars which to his knowledge are false or in any material respect misleading,

shall be liable on summary conviction to a fine not exceeding £200 or on conviction on indictment to imprisonment for a term not exceeding two years.

Modifications etc. (not altering text)

C1 [S. 26\(1\)\(c\)\(2\)\(a\)](#) extended by [Finance Act 1978 \(c. 42\), s. 8\(4\)](#)

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[^{F2}26A Dishonoured cheques: additional liability in certain cases.

- (1) Where a person has been convicted of an offence under section 102 of the Customs and Excise Management Act ^{M2}1979 (payment for licence by dishonoured cheque) in relation to a licence issued under this Act, the court shall, in addition to any penalty which it may impose under that section, order him to pay an amount equal to one twelfth of the appropriate annual rate of duty for each month or part of a month in the relevant period.
- (2) The relevant period for the purposes of this section is the period which—
 - (a) begins with the first day of the period for which the licence was applied for or, if it is later, the day on which the licence first was to have effect, and
 - (b) ends with whichever is the earliest of the following, namely—
 - (i) the end of the month in which the order is made;
 - (ii) the date on which the licence was due to expire;
 - (iii) the end of the month during which the licence was delivered up; and
 - (iv) the end of the month preceding that in which a new licence for the licensed vehicle first had effect.
- (3) The appropriate annual rate of duty for the purposes of this section is the annual rate of duty which, at the beginning of the relevant period, was appropriate to a vehicle of the description specified in the application.
- (4) Where an order has previously been made against a person under section 9 of this Act to pay an amount for a month or part of a month in the case of a vehicle, the amount which he is ordered to pay under this section in the case of the vehicle shall be calculated as if no part of that month were comprised in the relevant period.]

Textual Amendments

F2 S. 26A inserted by [Finance Act 1989 \(c. 26, SIF 107:2\)](#), s. 14(1)(7)

Marginal Citations

M2 1979 c. 2 (40:1)

27 Duty to give information.

- (1) Where it is alleged that a mechanically propelled vehicle has been used or kept in contravention of section 8, 16(7) or 18(4) of this Act—
 - (a) the person keeping the vehicle shall give such information as he may be required by or on behalf of a chief officer of police or the Secretary of State to give as to the identity of the person or persons concerned and, if he fails to do so, shall be guilty of an offence unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained the identity of the person or persons concerned;
 - (b) any other person shall, if required as aforesaid, give such information as it is in his power to give and which may lead to the identification of any of the persons concerned and, if he fails to do so, shall be guilty of an offence; and
 - (c) in a case where it is alleged that the vehicle has been used at any time in contravention of the said section 8, the person who is alleged to have so used the vehicle shall, if required as aforesaid, give such information as it is in his

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power to give as to the identity of the person by whom the vehicle was kept at that time and, if he fails to do so, shall be guilty of an offence.

- (2) The following persons shall be treated for the purposes of subsection (1)(a) and (b) above as persons concerned, that is to say—
- (a) in relation to an alleged offence of using a vehicle in contravention of section 8, 16(7) or 18(4) of this Act, both the driver and any person using the vehicle;
 - (b) in relation to an alleged offence of keeping the vehicle in contravention of the said section 8, the person keeping the vehicle.
- (3) A person guilty of an offence under subsection (1) of this section shall be liable on summary conviction to a fine not exceeding [^{F3}level 3 on the standard scale].

Textual Amendments

- F3** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), ss. 38, 46 and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), ss. 289F, 289G

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