



# Vehicle Excise and Registration Act 1994

## 1994 CHAPTER 22

### PART III

#### OFFENCES

##### *Other offences relating to licences*

#### **36 Dishonoured cheques: additional liability.**

- (1) Where a person has been convicted of an offence under section [F135A] in relation to a vehicle licence or a trade licence, the court shall (in addition to any penalty which it may impose under that section) order him to pay the amount specified in subsection (2).
- (2) The amount referred to in subsection (1) is an amount equal to one-twelfth of the appropriate annual rate of vehicle excise duty for each month, or part of a month, in the relevant period.
- (3) The reference in subsection (2) to the appropriate annual rate of vehicle excise duty is a reference to the annual rate which at the beginning of the relevant period—
  - (a) in the case of a vehicle licence, was applicable to a vehicle of the description specified in the application, or
  - (b) in the case of a trade licence, was applicable to a vehicle falling within paragraph [F21] of Schedule 1 (or to a vehicle falling within sub-paragraph (1) (c) of paragraph 2 of that Schedule if the licence was to be used only for vehicles to which that paragraph applies).
- [F3](4) For the purposes of this section the relevant period is the period—
  - (a) beginning with the first day of the period for which the licence was applied for or, if later, the day on which the licence first was to have effect, and
  - (b) ending with whichever is the earliest of the times specified in subsection (4A).
- (4A) the case of a vehicle licence those times are—
  - (a) the end of the month in which the order is made,

*Status: Point in time view as at 31/07/1998. This version of this provision has been superseded.*

*Changes to legislation: Vehicle Excise and Registration Act 1994, Section 36 is up to date with all changes known to be in force on or before 31 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (b) the date on which the licence was due to expire,
- (c) the end of the month during which the licence was delivered up, and
- (d) the end of the month preceding that in which there first had effect a new licence for the vehicle in question;

and, in the case of a trade licence, those times are the times specified in paragraphs (a) to (c).]

- (5) Where a person has previously been ordered under section 30 to pay an amount for a month or part of a month in the case of a vehicle, any amount which he is ordered to pay under this section in the case of a vehicle licence for the vehicle is to be calculated as if no part of that month were in the relevant period.

[<sup>F4</sup>(6) Where—

- (a) a person has been convicted of an offence under section 35A in relation to a vehicle licence or a trade licence, and
- (b) a requirement to pay an amount with respect to that licence has been imposed on that person by virtue of section 35A(3)(b),

the order to pay an amount under this section shall have effect instead of that requirement and the amount to be paid under the order shall be reduced by any amount actually paid in pursuance of the requirement.]

#### Textual Amendments

- F1** Words in s. 36(1) substituted (1.5.1995 with effect as mentioned in Sch. 4 para. 32(4) of the amending Act) by 1995 c. 4, s. 19, Sch. 4 Pt. V para. 32(3)(4)
- F2** Words in s. 36(3)(b) substituted (29.4.1996 with effect as mentioned in s. 18(5) of the amending Act) by 1996 c. 8, s. 18(4)(c)(5)
- F3** S. 36(4)(4A) substituted (31.7.1998 with effect as mentioned in s. 19(5) of the amending Act) for s. 36(4) by 1998 c. 36, s. 19(3)(5)
- F4** S. 36(6) inserted (31.7.1998 with effect as mentioned in s. 19(5) of the amending Act) by 1998 c. 36, s. 19(4)(5)

**Status:**

Point in time view as at 31/07/1998. This version of this provision has been superseded.

**Changes to legislation:**

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