
STATUTORY INSTRUMENTS

2019 No. 846

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.

Changes to legislation: There are currently no known outstanding effects for the The Heavy Duty Vehicles (Emissions and Fuel Consumption) (Amendment) (EU Exit) Regulations 2019, Section 13. (See end of Document for details)

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Commencement Information

- II** Reg. 13 in force at 31.12.2020 on IP completion day (in accordance with 2020 c. 1, **Sch. 5 para. 1(1)**), see [reg. 2](#)

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