



London Local Authorities and Transport for London Act 2008

2008 CHAPTER iii

PART 5

NON-PAYMENT OF PENALTY CHARGES

16 Preliminary procedure in other cases

- (1) This section applies where a London authority have reason to believe that—
 - (a) there are, in relation to that authority, at least three penalty charges outstanding in relation to a vehicle; and
 - (b) each of those penalty charges is outstanding because of the application of subsection (4)(a) of section 14 (interpretation of Part 5) of this Act; and
 - (c) a penalty charge notice or (in an NTO case) a notice to owner (including a penalty charge notice or notice to owner of the type referred to in subsections (2) and (3) of section 22 (issue of penalty charge notices, etc. on release or recovery of vehicle) of this Act was served in respect of each outstanding penalty charge.
- (2) Where this section applies, the London authority may serve a notice personally or by post or in such other manner as may be agreed between the parties on the person on whom a penalty charge notice or notice to owner, as the case may be, was served in the case of each outstanding penalty charge.
- (3) If the London authority have reason to believe that the owner of the vehicle is not the same person who was the owner of the vehicle when the last outstanding penalty charge was incurred, they may not serve a notice under subsection (2) above.
- (4) A notice under subsection (2) above shall—
 - (a) require that within the period of 7 days commencing with the date on which the notice was served—
 - (i) the outstanding penalty charges are paid to the London authority; or
 - (ii) a bond in the prescribed sum is paid to the London authority; and

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- (b) explain the consequences, under section 17 (immobilisation and removal of vehicles) of this Act, of failing to comply with those requirements; and
 - (c) inform the person on whom the notice is served of the rights, if those requirements are complied with, to make representations under paragraph 2 of Schedule 2 to this Act, and of appeal under paragraph 3 of the said Schedule 2.
- (5) If a bond is paid to the London authority in response to a notice under subsection (2) above, the London authority shall issue to the person on whom the notice was served a certificate in the prescribed form, stating—
 - (a) that the certificate is issued under this section;
 - (b) the date on which the certificate was issued;
 - (c) the registration mark of the vehicle;
 - (d) the date on which the certificate expires;
 - (e) the effect of subsection (6) below;
 - (f) the effect of paragraph 2 (4) of the said Schedule 2.
- (6) If a certificate issued under subsection (5) above is being displayed prominently in or on the vehicle to which it relates on or before the date on which it expires—
 - (a) no immobilisation device may be fixed to the vehicle under section 15 (preliminary procedure where ownership details not known) of this Act; and
 - (b) the vehicle may not be removed under the said section 17.
- (7) A certificate issued under subsection (5) above may expire no sooner than 14 days after the end of the period beginning with the date after which the relevant London authority are entitled, in accordance with paragraph 2(4) of the said Schedule 2, to disregard any representations received by them.
- (8) A person shall be guilty of an offence, liable on summary conviction to a fine not exceeding level 5 on the standard scale, if he displays in or on a vehicle a false certificate, purportedly issued under subsection (5) above.