



Vehicle Excise and Registration Act 1994

1994 CHAPTER 22

PART III

OFFENCES

Other offences relating to licences

[^{F1}35A Dishonoured cheques.

- (1) In a case where—
 - (a) a notice sent as mentioned in section 19A(2)(b) [^{F2}or 19B(2)(c)] or a further notice sent as mentioned in section 19A(3)(d) [^{F3}or 19B(3)(d)] [^{F4}contains a relevant requirement], and
 - (b) the person fails to comply with the requirement [^{F5}contained in the notice],he shall be liable on summary conviction to a penalty of an amount found under subsection (2).
- (2) The amount is whichever is the greater of—
 - (a) level 3 on the standard scale;
 - (b) an amount equal to five times the annual rate of duty that was payable on the grant of the licence or would have been so payable if it had been taken out for a period of twelve months.]
- [^{F6}(3) For the purposes of subsection (1)(a), a relevant requirement is—
 - (a) a requirement to deliver up the licence within such reasonable period as is specified in the notice; or
 - (b) a requirement to deliver up the licence within such reasonable period as is so specified and, on doing so, to pay the amount specified in subsection (4).
- (4) The amount referred to in subsection (3)(b) 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.

Status: Point in time view as at 24/07/2002. This version of this provision has been superseded.

Changes to legislation: Vehicle Excise and Registration Act 1994, Section 35A is up to date with all changes known to be in force on or before 02 November 2023. 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)

- (5) The reference in subsection (4) 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 [^{F7} paragraph 1(2) of Schedule 1] (or to a vehicle falling within sub-paragraph [^{F8}(1)(d)] of paragraph 2 of that Schedule if the licence was to be used only for vehicles to which that paragraph applies).
- (6) For the purposes of subsection (4) 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 (7).
- (7) In a case where the requirement is a requirement to deliver up a vehicle licence, those times are—
- (a) the end of the month during which the licence was required to be delivered up,
 - (b) the end of the month during which the licence was actually delivered up,
 - (c) the date on which the licence was due to expire, and
 - (d) the end of the month preceding that in which there first had effect a new vehicle licence for the vehicle in question;
- and, in a case where the requirement is a requirement to deliver up a trade licence, those times are the times specified in paragraphs (a) to (c).]

Textual Amendments

- F1** S. 35A inserted (1.5.1995 with effect as mentioned in Sch. 4 para. 33(4) of the amending Act) by 1995 c. 4, s. 19, **Sch. 4 Pt. V para. 32(2)(4)**
- F2** Words in s. 35A(1)(a) inserted (19.3.1997) by 1997 c. 16, s. 19(2)(a)
- F3** Words in s. 35A(1)(a) inserted (19.3.1997) by 1997 c. 16, s. 19(2)(b)
- F4** Words in s. 35A(1)(a) substituted (31.7.1998 with effect as mentioned in s. 19(5) of the amending Act) by 1998 c. 36, s. 19(1)(a)(5)
- F5** Words in s. 35A(1)(b) substituted (31.7.1998 with effect as mentioned in s. 19(5) of the amending Act) by 1998 c. 36, s. 19(1)(b)(5)
- F6** S. 35A(3)-(7) inserted (31.7.1998 with effect as mentioned in s. 19(5) of the amending Act) by 1998 c. 36, s. 19(3)(5)
- F7** Words in s. 35A(5)(b) substituted (27.7.1999 with effect as mentioned in s. 8(5) of the amending Act) by 1999 c. 16, s. 8(4)(5)
- F8** Words in s. 35A(5)(b) substituted (24.7.2002 with application as mentioned in s. 18(4) of the amending Act) by Finance Act 2002 (c. 23), s. 18(2)

Status:

Point in time view as at 24/07/2002. This version of this provision has been superseded.

Changes to legislation:

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