
STATUTORY INSTRUMENTS

2011 No. 2937

**The Renewable Transport Fuel
Obligations (Amendment) Order 2011**

Amendment of article 23 (civil penalties)

21.—(1) In article 23(1)—

- (a) for “12(4) and (6)” substitute “12(4) and (7)”;
- (b) after “16(4),” insert “16B(1) to (3),”.

(2) After article 23(2), insert—

“(2A) A supplier is liable to a civil penalty if that supplier or other person fails to submit a verifier’s report as required by article 16B(1) to (3).”

(3) For article 23(3), substitute—

“(3) A supplier or other person is liable to a civil penalty if at the time that supplier or other person provides the information or produces the evidence (as the case may be) referred to in article 7(6), 8(3), 12(4) or (7), 13(5) or (7), 16(4) or 20(14)—

- (a) that supplier or other person has not taken reasonable steps to ensure that the information or evidence is accurate, or
- (b) that supplier or other person has taken reasonable steps to ensure that the information or evidence is accurate, but the condition set out in paragraph (4) or (5) is subsequently satisfied.”

(4) In article 23(4)(a) and (5)(a), for “five” substitute “twenty”.

(5) In article 23(5)—

- (a) for “12(4) or (6)” substitute “12(4) or (7)”;
- (b) for “the 28th September” substitute “the 16th November”.

(6) In article 23(8), for “calculated in accordance with” substitute “defined in”.

(7) In article 23(13), in paragraph (a) of the definition of “applicable turnover” for “road” substitute “petrol, diesel and renewable”.