



London Local Authorities and Transport for London Act 2008

2008 CHAPTER iii

PART 5

NON-PAYMENT OF PENALTY CHARGES

20 Payment of bond to secure removal

- (1) If a person (“the claimant”) is offered the opportunity to do so by the custodian, and the conditions of subsection (2) below are satisfied, instead of paying all outstanding penalty charges and any other charges to the custodian, a person may pay to the custodian a bond in the prescribed sum in order to take possession of a vehicle (with its contents) under section 19 (taking possession of a vehicle) of this Act.
- (2) The conditions of this subsection are—
 - (a) that the claimant satisfies the custodian that—
 - (i) he is the owner of the vehicle or that he is authorised by the owner to take possession of the vehicle;
 - (ii) he intends to make representations under paragraph 2 of Schedule 2 to this Act by virtue of paragraph 1(1)(c) of that Schedule; and
 - (b) no bond has been paid under this section or in response to the service of a notice under subsection (4) of section 16 (preliminary procedure in other cases) of this Act on any previous occasion in respect of any of the outstanding penalty charges in question; and
 - (c) the claimant provides to the custodian satisfactory and verifiable proof of his name and address and the name and address of the owner of the vehicle (if it is not him).
- (3) If a claimant takes possession of a vehicle, having satisfied the conditions of subsection (2) above, the custodian shall issue to the claimant a certificate in the prescribed form, stating—
 - (a) that the certificate is issued under this section;

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- (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 (5) below;
 - (f) the effect of paragraph 2 (4) of the said Schedule 2.
- (4) If a certificate issued under subsection (3) 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) or 17 (immobilisation and removal of vehicles) of this Act; and
 - (b) the vehicle may not be removed under the said section 17.
- (5) A certificate issued under subsection (3) above may expire no sooner than 14 days after the end of the period beginning with the date after which the relevant London authority is entitled, in accordance with paragraph 2(4) of the said Schedule 2, to disregard any representations received by them.
- (6) A person shall be guilty of an offence, liable on summary conviction to a fine not exceeding level 5 on the standard scale, if—
- (a) in giving a relevant person information required to establish whether a condition of subsection (2) above is met, he—
 - (i) makes a statement which he knows is false in a material particular; or
 - (ii) recklessly makes a statement which is false in a material particular; or
 - (b) he displays in or on a vehicle a false certificate, purportedly issued under subsection (3) above.