
Changes to legislation: There are currently no known outstanding effects for the Finance Act 1996, Cross Heading: Offences: information and admissions. (See end of Document for details)

SCHEDULES

SCHEDULE 2

VEHICLE LICENSING AND REGISTRATION

Offences: information and admissions

12 After section 46 of the 1994 Act there shall be inserted the following section—

“46A Duty to give information: offences under regulations.

- (1) Subsection (2) applies where it appears to the Secretary of State—
- (a) that a person is a person by, through or to whom a vehicle has been sold or disposed of and that he has failed to comply with regulations made by virtue of section 22(1)(d) requiring him to furnish particulars prescribed by the regulations;
 - (b) that a person is a person by or through whom a vehicle has been sold or disposed of and that he has failed to comply with regulations made by virtue of section 22(1)(dd) requiring him to furnish a document prescribed by the regulations; or
 - (c) that a person is a person who is surrendering a vehicle licence, or who is not renewing a vehicle licence for a vehicle kept by him or who is keeping an unlicensed vehicle and that he has failed to comply with regulations made by virtue of section 22(1D) requiring him to furnish particulars or make a declaration prescribed by the regulations.
- (2) The Secretary of State may serve a notice on the person in question requiring him to give the Secretary of State such information as it is in his power to give—
- (a) as to the identity of any person who is keeping a specified vehicle or who has kept it at a specified time or during a specified period;
 - (b) as to the identity of any person by, through or to whom a specified vehicle has been sold or disposed of at a specified time or during a specified period; or
 - (c) which may lead to the identification of a person falling within paragraph (a) or (b).
- (3) A person who fails to comply with a notice under subsection (2) is guilty of an offence.
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) In this section “specified” means specified in a notice under subsection (2).”

13 After section 51 of the 1994 Act there shall be inserted the following section—

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“51A Admissions: offences under regulations.

- (1) Subsection (2) applies in relation to any proceedings in England, Wales or Northern Ireland against a person for an offence on the grounds that—
- (a) a vehicle has been sold or disposed of by, through or to him and he has failed to furnish particulars prescribed by regulations made by virtue of section 22(1)(d);
 - (b) a vehicle has been sold or disposed of by or through him and he has failed to furnish a document prescribed by regulations made by virtue of section 22(1)(dd); or
 - (c) he has surrendered, or not renewed, a vehicle licence, or is keeping an unlicensed vehicle, and has failed to furnish any particulars or make a declaration prescribed by regulations made by virtue of section 22(1D).
- (2) If—
- (a) it is appropriately proved that there has been served on the accused by post a requirement under section 46A to give information as to the identity of the person keeping the vehicle at a particular time, and
 - (b) a statement in writing is produced to the court purporting to be signed by the accused that he was keeping the vehicle at that time,
- the court may accept the statement as evidence that the accused was keeping the vehicle at that time.
- (3) In subsection (2) “appropriately proved” has the same meaning as in section 51.”

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