

Changes to legislation: Nationality and Borders Act 2022, Paragraph 10 is up to date with all changes known to be in force on or before 17 August 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) View outstanding changes

SCHEDULES

SCHEDULE 5

PENALTY FOR FAILURE TO SECURE GOODS VEHICLE ETC

- 10 (1) Section 36 (power to detain vehicles etc in connection with penalties under section 32) is amended as follows.
- (2) In the heading, after “section” insert “31A or”.
- (3) In subsection (2A)(a), for “is an employee of its owner or hirer” substitute “drives the vehicle pursuant to a contract (whether or not a contract of employment) with the owner or hirer of the vehicle”.
- (4) After subsection (2A) insert—
- “(2AA) In the case of a detached trailer, subsection (2A) has effect as if—
- (a) a reference to the driver were a reference to the operator, and
- (b) the reference to driving the vehicle were a reference to operating it.”
- (5) After subsection (5) insert—
- “(6) A document which is to be issued to or served on a person outside the United Kingdom for the purposes of this section may be issued or served—
- (a) in person,
- (b) by post,
- (c) by facsimile transmission,
- (d) by electronic mail, or
- (e) in another prescribed manner.
- (7) The Secretary of State may by regulations provide that a document issued or served in a manner listed in subsection (6) in accordance with the regulations is to be taken to have been received at a time specified by or determined in accordance with the regulations.”

Commencement Information

- 11** Sch. 5 para. 10 in force at Royal Assent for specified purposes, see **s. 87(1)(4)(c)**
- 12** Sch. 5 para. 10 in force at 13.2.2023 for specified purposes by **S.I. 2023/33**, **reg. 2(1)(c)(iv)(2)** (with reg. 4)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 54(6)(c) and word inserted by [2023 c. 37 s. 57\(11\)\(b\)](#)
- s. 63(2A) inserted by [2023 c. 37 s. 29\(3\)](#)
- s. 63(3)(fa)(fb) inserted by [2023 c. 37 s. 29\(4\)\(b\)](#)
- s. 63(5A)(5B) inserted by [2023 c. 37 s. 29\(5\)](#)
- s. 63(8) inserted by [2023 c. 37 s. 28\(9\)](#)
- s. 65(8A) inserted by [2023 c. 37 s. 28\(12\)](#)