
Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Nationality and Borders Act 2022. Any changes that have already been made by the team 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

- 5 (1) Section 32A (level of penalty: code of practice) is amended as follows.
- (2) Before subsection (1) insert—
- “(A1) The Secretary of State must issue a code of practice specifying matters to be considered in determining the amount of a penalty under section 31A.
- (B1) The Secretary of State must have regard to the code (in addition to any other matters the Secretary of State thinks relevant)—
- (a) when imposing a penalty under section 31A, and
- (b) when considering a notice of objection under section 35(4) in relation to a penalty under section 31A.”
- (3) In subsection (2)(b), after “35(4)” insert “in relation to a penalty under section 32”.
- (4) In subsection (3) for “the code” substitute “a code under this section”.
- (5) In subsection (4) for “the draft code” substitute “a draft code”.
- (6) In subsection (5) for “the code” in the first place it occurs substitute “a code under this section”.
- (7) In subsection (6) for “the code” substitute “a code”.

Commencement Information

- I1** Sch. 5 para. 5 in force at Royal Assent for specified purposes, see [s. 87\(1\)\(4\)\(c\)](#)
- I2** [Sch. 5 para. 5](#) in force at 13.2.2023 for specified purposes by [S.I. 2023/33](#), [reg. 2\(1\)\(c\)\(i\)\(2\)](#) (with [reg. 4](#))

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

- Act excluded by [2024 c. 8 s. 2\(5\)\(a\)](#)⁵

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\(12\)](#)