



# Aggravated Vehicle-Taking Act 1992

## 1992 CHAPTER 11

### 2 Offence to be tried only summarily if value of damage is small.

- (1) In Schedule 2 to the <sup>M1</sup>Magistrates' Courts Act 1980 (offences for which the value involved is relevant to the mode of trial) after paragraph 2 there shall be inserted the following paragraph—

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“3. Offences under section 12A of the Theft Act 1968 (aggravated vehicle-taking) where no allegation is made under subsection (1)(b) other than of damage, whether to the vehicle or other property or both.

The total value of the damage alleged to have been caused.

(1) In the case of damage to any property other than the vehicle involved in the offence, as for the corresponding entry in paragraph 1 above, substituting a reference to the time of the accident concerned for any reference to the material time.

(2) In the case of damage to the vehicle involved in the offence —

(a) if immediately after the vehicle was recovered the damage was capable of repair—

(i) what would probably then have been the market price for the repair of the damage, or

(ii) what the vehicle would probably have cost to buy in the open market

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**Changes to legislation:** There are currently no known outstanding effects for the Aggravated Vehicle-Taking Act 1992, Section 2. (See end of Document for details)

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immediately before it was unlawfully taken,

whichever is the less; or

(b) if immediately after the vehicle was recovered the damage was beyond repair, what the vehicle would probably have cost to buy in the open market immediately before it was unlawfully taken.”

- (2) In the <sup>M2</sup>Magistrates’ Courts Act 1980, at the end of section 22 (which introduces Schedule 2) there shall be added the following subsection—

“(12) Subsection (8) of section 12A of the Theft Act 1968 (which determines when a vehicle is recovered) shall apply for the purposes of paragraph 3 of Schedule 2 to this Act as it applies for the purposes of that section.”

- (3) In section 33 of the Magistrates’ Courts Act 1980 (maximum penalties on summary conviction in pursuance of section 22)—

- (a) in subsection (1), at the beginning of paragraph (a) there shall be inserted the words “ subject to subsection (3) below ”; and  
(b) after subsection (2) there shall be inserted the following subsection—

“(3) Paragraph (a) of subsection (1) above does not apply to an offence under section 12A of the Theft Act 1968 (aggravated vehicle-taking).”

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**Commencement Information**

**I1** S. 2 wholly in force at 1. 4. 1992 see s. 4(2) and S.I. 1992/764, art. 2.

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**Marginal Citations**

**M1** 1980 c. 43.

**M2** 1980 c. 43.

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