

2014 No. 2358

ROAD TRAFFIC

**The Vehicle Excise and Registration (Consequential
Amendments) Regulations 2014**

<i>Made</i>	- - - -	<i>3rd September 2014</i>
<i>Laid before Parliament</i>		<i>8th September 2014</i>
<i>Coming into force</i>	- -	<i>1st October 2014</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 7(6), 10(1), 11(1) and (1A), 14(4), 22(1)(d), 22(1D), 22(2), 23(5)(b), 26(1), (1A) and (2), 27(2) and (3)(d) and (h), 33(1)(b), (1A)(c) and (4) and 57(1), (2) and (3) of, and paragraphs 1, 3 and 5 of Schedule 2A to, the Vehicle Excise and Registration Act 1994(a).

Citation and commencement

1. These Regulations may be cited as the Vehicle Excise and Registration (Consequential Amendments) Regulations 2014 and come into force on 1st October 2014.

Amendment of the Road Vehicles (Registration and Licensing) Regulations 2002

2. The Road Vehicles (Registration and Licensing) Regulations 2002(b) are further amended in accordance with Schedule 1.

Amendment of the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997

3. The Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997(c) are further amended in accordance with Schedule 2.

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- (a) 1994 c. 22; section 7(6) was amended by the Finance Act 1996 (c. 8), Schedule 2, paragraph 2(4); section 11(1) was amended by the Finance Act 1995 (c. 4), Schedule 4, paragraph 30(2) and section 11(1A) was inserted by the Finance Act 1996, Schedule 2, paragraph 3; section 22(1)(d) was amended by the Finance Act 1996, Schedule 2, paragraph 4(2) and amended by the Road Safety Act 2007 (c. 49), section 47(7); section 22(1D) was inserted by the Finance Act 1996, Schedule 2, paragraph 7 and subsequently amended by the Finance Act 2002 (c. 23), Schedule 5, paragraph 6(1) and the Finance Act 2008 (c. 9), section 144(4); section 26(1), (1A) and (2) was amended by the Vehicle Registration Marks Act 2007 (c. 4), section 1; section 57(1) was amended by the Finance Act 1996, Schedule 2, paragraph 16 and Schedule 41, Part II (6); Schedule 2A was inserted by the Finance Act 1995, Schedule 4, paragraph 36(2) and paragraphs 1 and 3 of Schedule 2A were amended by the Finance Act 1997 (c. 16), section 20, by the Finance Act 2008, Schedule 45, paragraph 5 and 7 and by the Finance Act 2013 (c. 29), section 189(3).
- (b) S.I. 2002/2742; relevant amendments are in the Finance Act 2013 (c. 29) section 188(3)(b) and S.I. 2013/2909.
- (c) S.I. 1997/2439; the relevant amending instrument is S.I. 2008/2266.

Amendment of Registration Marks Regulations

4. The Sale of Registration Marks Regulations 1995(a) are further amended in accordance with Part 1 of Schedule 3 and the Retention of Registration Marks Regulations 1993(b) are further amended in accordance with Part 2 of that Schedule.

Signed by authority of the Secretary of State

Claire Perry
Parliamentary Under Secretary of State
Department for Transport

3rd September 2014

SCHEDULE 1

Regulation 2

The Road Vehicles (Registration and Licensing) Regulations 2002

1. The Road Vehicles (Registration and Licensing) Regulations 2002 are amended as follows.
2. Regulation 6 (exhibition of vehicle and nil licences) is omitted.
3. Regulation 7 (prohibition against exhibiting anything resembling a vehicle, trade or nil licence) is omitted.
4. Regulation 8 (duplicate licences) is omitted.
5. For regulation 9 (surrender of vehicle and trade licences) there is substituted—

“Applications for rebates for vehicle and trade licences

9.—(1) The holder of a vehicle licence or trade licence who wishes to claim a rebate in accordance with section 19(1) of the 1994 Act must submit a signed application to the Secretary of State.

(2) In the case of a trade licence, the application must be accompanied by any trade plates issued to the holder in connection with the licence.”

6. In regulation 16 (notification of alteration of a vehicle)—
 - (a) paragraph (2) is omitted; and
 - (b) in paragraph (4) for subparagraphs (a), (b) and (c) there is substituted—
 - “(a) record the alteration in the register; and
 - (b) send the registered keeper a new registration document showing the correct particulars.”
7. For regulation 19 there is substituted—

“Trade licences: notification of change of holder’s name or address

19.—(1) If there is a change in the name or business address of the holder of a trade licence, the holder must forthwith notify the Secretary of State of the change and of the new name or address.

(2) On receiving the notification, the Secretary of State must record the change in the register of trade licences.”

(a) S.I. 1995/2880; the relevant amending instrument is S.I. 2008/2372.

(b) S.I. 1993/987; the relevant amending instrument is S.I. 1994/2976.

8. In regulation 20 (change of keeper: general provisions) paragraph (2) is omitted.
9. In regulation 26 (statutory off-road notification) paragraph (a) is omitted.
10. Regulation 31 (certificates of Crown exemption) is omitted.
11. In regulation 33 (nil licences)—
- (a) for paragraph (3) there is substituted—

“(3) Subject to paragraph (3A), a nil licence must be granted for a period of 12 months beginning with the first day of the month in which the application for the licence is received by the Secretary of State.”;
 - (b) in paragraph (3A)(a) for “paragraph (3)(a)” there is substituted “paragraph (3)”; and
 - (c) in paragraph (10) subparagraph (a) and the word “and” following it are omitted.
12. In regulation 40 (issue of trade plates)—
- (a) in paragraph (2) the words “, and one of the trade plates shall include a means whereby the licence may be fixed to it” are omitted; and
 - (b) in paragraph (4) the words “and that plate shall include a means whereby the licence may be fixed to it” are omitted.
13. In regulation 41 (issue of replacement trade plates)—
- (a) paragraph (3);
 - (b) subparagraph (d) of paragraph (4); and
 - (c) the word “and” immediately preceding paragraph (4)(d),
- are omitted.
14. In regulation 42 (display of general registration mark of holder of a trade licence and exhibition of licence)—
- (a) for the heading there is substituted—

“**Display of general registration mark of holder of a trade licence**”; and
 - (b) paragraphs (3) and (4) are omitted.
- 15.—(1) Schedule 4 (statutory off-road notification) is amended as follows.
- (2) In paragraph 1(1), in the definition of “the required declaration”, the words “a person surrendering a vehicle licence or” are omitted.
 - (3) Paragraph 3 is omitted.
 - (4) Paragraph 7 is omitted.
- 16.—(1) Schedule 6 (trade licences) is amended as follows.
- (2) For paragraph 1 there is substituted—

“**1.** Where there is a change in the name, business name or business address of the holder of a trade licence, the holder must forthwith notify the change and the new name or address to the Secretary of State.”
 - (3) In paragraph 3 the words “trade licence or” are omitted.
 - (4) In paragraph 5 the words “the trade licence or” are omitted.
 - (5) In paragraph 6 the words “the trade licence or” are omitted.

SCHEDULE 2

Regulation 3

Amendment of the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997

1. The Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 are amended as follows.

2. In regulation 2(1), in the definition of “surety payment” for “produced” there is substituted “in force for a vehicle”.

3. In regulation 6(3) for subparagraph (c) there is substituted—

“(c) a vehicle licence for the vehicle is in force;”.

4. In regulation 12(2)(c) for paragraph (ii) there is substituted—

“(ii) satisfies the custodian that a vehicle licence is in force for the vehicle;”.

5. In regulation 15 for paragraph (6) there is substituted—

“(6) The owner of a vehicle as respects which a voucher has been issued under this regulation is entitled to a refund of the amount of the surety payment represented by the voucher if—

- (a) the refund is claimed within the period of 15 days beginning with the date on which the voucher was issued; and
- (b) the refund is claimed at a time when a vehicle licence is in force for the vehicle whose registration mark is specified in the voucher.”

SCHEDULE 3

Regulation 4

Registration Marks Regulations

PART 1

The Sale of Registration Marks Regulations 1995

1.—(1) The Sale of Registration Marks Scheme 1995 set out in the Schedule to the Sale of Registration Marks Regulations 1995 is amended as follows.

(2) After paragraph 9(1) there is inserted—

“(1A) A relevant right is not exercisable unless a vehicle licence is in force for the vehicle.”

(3) In paragraph 9(2) for paragraph (b) there is substituted—

“(b) surrendering to the Secretary of State for replacement the registration document relating to the vehicle issued under 1994 Act in which the name and address of the purchaser or, where appropriate, of the nominated person, are given as those of the keeper of vehicle under the Road Vehicles Registration and Licensing Regulations 2002(a);”.

(a) S.I. 2002/2742; the definition of “keeper” is in regulation 3(1).

PART 2

The Retention of Registration Marks Regulations 1993

2. The Retention of Registration Marks Regulations 1993 are amended as follows.
3. In regulation 4 (application for a right of retention)—
 - (a) in paragraph 4(1) paragraph (b) is omitted;
 - (b) after subparagraph (1) there is inserted—

“(1ZA) An application under paragraph (1) is not valid unless a vehicle licence for the vehicle is in force or has been applied for.”
4. In regulation 10—
 - (a) after paragraph (1) there is inserted—

“(1A) A right of retention is not exercisable unless a vehicle licence is in force for the vehicle.”; and
 - (b) in paragraph (2) for paragraph (b) there is substituted—

“(b) surrendering to the Secretary of State for replacement the registration document relating to the vehicle issued under 1994 Act in which the name and address of the grantee or, where appropriate, of the nominated person, are given as those of the keeper of the vehicle under the Road Vehicles (Registration and Licensing) Regulations 2002;”.

EXPLANATORY NOTE

(This note is not part of the Regulations)

Schedule 19 to the Finance Act 2014 amends the Vehicle Excise and Registration Act 1994 so that it no longer provides for the issue and display of paper licences, whether they be vehicle, nil or trade licences. These Regulations make consequential amendments to various regulations having effect under the 1994 Act relating to the registration and licensing of mechanically propelled vehicles so as to reflect the changes to that Act.

Regulation 1 provides for the Regulations to come into force on 1st October 2014, which is the date on which Schedule 19 to the Finance Act 2014 will also come into force. *Regulation 2* introduces *Schedule 1* which contains amendments to the Road Vehicles and Licensing Regulations 2002; *regulation 3* introduces *Schedule 2* which amends the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 and *regulation 4* introduces *Schedule 3*, of which *Part 1* amends the Sale of Registration Marks Regulations 1995 and *Part 2* the Retention of Registration Marks Regulations 1993.

A full impact assessment of the effect that these Regulations will have on the costs to business and the voluntary sector is available from the Driver and Vehicle Licensing Agency, Longview Road, Morriston, Swansea, SA6 7JL and is published with the Explanatory Memorandum alongside these Regulations at <http://www.legislation.gov.uk>.

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