STATUTORY INSTRUMENTS

1982 No. 1438

CAR TAX

The Car Tax (Transfer of Liability) Regulations 1982

Made - - -	11*th October* 1982
Laid before the House of Commons -	19*th October* 1982
Coming into Operation	9*th November* 1982

The Commissioners of Customs and Excise, in exercise of the powers conferred upon them by paragraph 26(1)(ee) of schedule 7 to the Finance Act 1972(**a**) and of all other powers enabling them in that behalf, hereby make the following Regulations—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Car Tax (Transfer of Liability) Regulations 1982 and shall come into operation on 9th November 1982.

(2) In these Regulations "the Schedule" means Schedule 7 to the Finance Act 1972.

Transfer of liability for car tax

2.—(1) Subject to regulation 3 below, when a business or part of a business is transferred as a going concern by a person registered under the Schedule (in these Regulations called "the transferor") the tax on a chargeable vehicle the property in which has passed from the transferor before the tax has become due shall be payable by the person to whom the property has passed (in these Regulations called "the transferee").

(2) The provisions of the Schedule and regulations(**b**) made thereunder applicable to a person who is registered under the Schedule shall apply with the modifications set out in regulations 4 and 5 below to the transferee, and the reference in paragraph 4(1)(c) of the Schedule to the premises of a person so registered shall be deemed to include a reference to the premises of the transferor.

3. These Regulations do not apply where the transferee has paid to the transferor in consideration for the transfer of the chargeable vehicle a sum which includes an amount in respect of the tax on the vehicle payable by the transferor.

(**a**) 1972 c. 41, as amended by section 19 of the Finance Act 1982 (c. 39).
(**b**) The relevant Regulations made under Schedule 7 are S.I. 1972/1345, 1973/418, 1976/91, 1981/1079.

Modifications to paragraph 4 of the Schedule

4. Where under the Schedule the transferee is not liable to be registered or the Commissioners do not think fit to register him the tax shall become due at the time it becomes payable by him under regulation 2 above.

5. The tax payable by the transferee under regulation 2 above on a chargeable vehicle which—

(*a*) has been delivered by the transferor under an agreement providing for its sale or return; and

(*b*) ceases to be the subject of such an agreement,

shall be due at the time it becomes payable by him under that regulation.

11th October 1982.

B. H. Knox,
Commissioner of Customs and Excise.

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EXPLANATORY NOTE

(*This Note is not part of the Regulations.*)

These Regulations set out the circumstances in which liability for car tax is transferred from a manufacturer or importer of chargeable vehicles registered for the tax to someone who has acquired ownership of a vehicle before the point in time at which the tax has become due from the manufacturer or importer. The Regulations also stipulate the arrangements for collecting the tax in such circumstances.

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