2002 No. 745

ROAD TRAFFIC

The Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) (Amendment) Regulations 2002

Made - - - - -	*18th March 2002*
Laid before Parliament	*19th March 2002*
Coming into force - -	*9th April 2002*

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred upon him by sections 57(1) and (2)(a), and paragraphs 3(3) and (4) of Schedule 2A to, the Vehicle Excise and Registration Act 1994(**a**) and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) (Amendment) Regulations 2002 and shall come into force on 9th April 2002.

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

2.—(1) Regulation 10 of the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997(**b**) shall be amended in accordance with the following provisions.

(2) For paragraph (3) shall be substituted the following paragraph—

"(3) In a case not falling within paragraph (2), a vehicle shall not be disposed of pursuant to this regulation before—

(a) the end of a period beginning with the date on which the vehicle was removed in accordance with regulation 9(3) of either—

(i) in the case of a vehicle of no economic value, seven days, or

(ii) in any other case, fourteen days; and

(b) the custodian has, for the purpose of ascertaining the owner of the vehicle, taken such of the steps specified in Schedule 2 to these Regulations as are applicable to the vehicle and either—

(i) he has failed to ascertain the name and address of the owner, or

(ii) the owner has failed to comply with a notice in accordance with paragraph (4) served on him by first class post.".

(3) In paragraph (4), "(ii)" shall be inserted after "(3)(b)".

(4) For sub-paragraph (4)(b) shall be substituted the following sub-paragraph—

"(b) requires the owner to remove the vehicle from the custody of the custodian—

(**a**) 1994 c. 22. Schedule 2A was inserted by paragraph 36(2) of Schedule 4 to the Finance Act 1995 (c. 4) and amended by section 20 of the Finance Act 1997 (c. 16).

(**b**) S.I. 1997/2439; the relevant amending instruments are S.I. 1998/1217 and S.I. 1999/35.

(i) in the case of a vehicle which is of no economic value, within three days of the date on which the notice is served; or

(ii) in any other case, within seven days of that date.".

(5) The following paragraph shall be added after paragraph (5)—

"(6) For the purposes of this regulation, a vehicle is of no economic value if the custodian is satisfied that the total prescribed charges for the removal of the vehicle and its storage for seven days exceed the resale or scrap value of the vehicle.".

Signed by the authority of the Secretary of State

David Jamieson
Parliamentary Under Secretary of State
18th March 2002 Department for Transport, Local Government and the Regions

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the provisions of the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997, which provide for the removal and disposal of unlicensed vehicles found stationary on a public road.

The Regulations distinguish between vehicles of no economic value and other vehicles.

Vehicles of no economic value are those where the total prescribed charges payable after a period of seven days in storage will exceed the resale or scrap value of the vehicle. The periods for which the vehicle must be retained before being disposed of and that in which the owner must remove the vehicle from the custodian of it are both reduced.

STATUTORY INSTRUMENTS

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