
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 362

Controlled Waste (Registration of Carriers and Seizure of Vehicles) Regulations (Northern Ireland) 1999

Prescribed steps to be taken before applying for a warrant to seize property

19.—(1) The prescribed steps for the purposes of Article 43(1)(c) of the 1997 Order are provided by paragraphs (2) and (3).

(2) The Department shall—

- (a) in the case of a vehicle with a Northern Ireland registration mark, obtain the name and address of the person shown in its records, at the time when the offence was committed, as the registered keeper of the vehicle;
- (b) in the case of a vehicle with a GB registration mark, provide the Secretary of State for the Department of the Environment, Transport and the Regions with the details of the registration mark and of the time when the offence was committed and a brief description of the vehicle, requesting his help in finding the person who was the owner of the vehicle at that time and explain the reason for making the request;
- (c) in any other case, provide the Chief Constable of the Royal Ulster Constabulary with details of the foreign registration mark (if any) and of the time when the offence was committed and a brief description of the vehicle, request his help in finding the person who was the owner of the vehicle at that time and explain the reason for making the request.

(3) The Department shall serve notice under Article 44(1) of the 1997 Order on any person whom it considers (whether as a result of action taken under paragraph (2) or otherwise) may be able to provide it with the name and address of the person who was using the vehicle at the time when the offence was committed, requiring him, if he is able to do so, to provide it with the name and address of that person.

(4) In this regulation—

“foreign registration mark” means a mark indicating registration in some country other than Great Britain or Northern Ireland;

“GB registration mark” means a mark issued in relation to a vehicle under the Vehicle Excise and Registration Act 1994(1) indicating registration in Great Britain;

“Northern Ireland registration mark” means a registration mark issued in relation to a vehicle under the Vehicle Excise and Registration Act 1994 indicating registration in Northern Ireland; and

“owner” includes a person entitled to possession of a vehicle under a hiring agreement or hire purchase agreement.