

SCHEDULES

SCHEDULE 1

PROHIBITION ON DRIVING: IMMOBILISATION, REMOVAL AND DISPOSAL OF VEHICLES

Interpretation

- 9.** References in this Schedule to a vehicle include references to any trailer drawn by the vehicle.
- 10.**—(1) This paragraph makes provision about the meaning of “authorised person” for the purposes of this Schedule.
- (2) Where the driving of the vehicle has been prohibited under Article 84 of the Order of 1981 “authorised person” means an authorised officer within the meaning of Part VII of the Order of 1981.
- (3) Where the driving of the vehicle has been prohibited under Article 77 of the Order of 1995 “authorised person” means a vehicle examiner (within the meaning of Part III of that Order).
- (4) Where the driving of the vehicle has been prohibited under Article 79 of the Order of 1995 “authorised person” means—
- (a) a vehicle examiner (within the meaning of Part III of that Order); or
 - (b) a constable authorised to act for the purposes of paragraph (1) of that Order by or on behalf of the Chief Constable.
- (5) Where the driving of the vehicle has been prohibited under Article 91E of the Offenders Order, “authorised person” means—
- (a) a vehicle examiner (within the meaning of Part III of that Order); or
 - (b) a constable.
- 11.** In this Schedule—
- (a) references to an immobilisation device are to a device or appliance which is—
 - (i) designed or adapted to be fixed to a vehicle for the purpose of preventing it from being driven or otherwise put in motion; and
 - (ii) of a type approved by the Department for use for that purpose; and
 - (b) references to an immobilisation notice are to a notice fixed to a vehicle in accordance with the regulations.
- 12.** In this Schedule “prescribed” means prescribed by the regulations.
- 13.**—(1) The regulations may make provision as to the meaning for the purposes of the regulations of “owner” as regards a vehicle.
- (2) In particular, the regulations may provide that for the purposes of the regulations the owner of a vehicle is taken to be the person in whose name it is then registered under the Vehicle Excise and Registration Act 1994 (c. 22).