



Vehicle Excise and Registration Act 1994

1994 CHAPTER 22

PART II

REGISTRATION OF VEHICLES

Registration

21 Registration of vehicles.

[^{F1}(1) Subject to subsection (3), on the issue by the Secretary of State for a vehicle which is not registered under this section of either—

- (a) a vehicle licence, or
- (b) a nil licence,

the Secretary of State shall register the vehicle in such manner as he thinks fit without any further application by the person to whom the licence is issued.]

(2) [^{F2}Subject to subsection (3)] Where particulars in respect of a vehicle are furnished to the Secretary of State in accordance with regulations under section 24 before he first issues a vehicle licence for the vehicle, he shall so register the vehicle on receiving the particulars.

[^{F3}(3) The Secretary of State may by regulations provide that in such circumstances as may be prescribed by the regulations a vehicle shall not be registered under this section until a fee of such amount as may be so prescribed is paid.

[^{F3}(4) The Secretary of State may by regulations make provision about repayment of any sum paid by way of a fee mentioned in subsection (3), and the regulations may in particular include provision—

- (a) that repayment shall be made only if a specified person is satisfied that specified conditions are met or in other specified circumstances;
- (b) that repayment shall be made in part only;
- (c) that, in the case of partial repayment, the amount repaid shall be a specified sum or determined in a specified manner;

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- (d) for repayment of different amounts in different circumstances;
 and “specified” here means specified in the regulations.]

Textual Amendments

- F1** S. 21(1) substituted (1.4.1998) by 1997 c. 16, s. 18, **Sch. 3 para. 2**; S.I. 1998/560, **art. 2**
F2 Words in s. 21(1)(2) inserted (1.5.1995) by 1995 c. 4, s. 19, **Sch. 4 Pt. VI para. 33**
F3 S. 21(3)(4) inserted (1.5.1995) by 1995 c. 4, s. 19, **Sch. 4 Pt. VI para. 33**

22 Registration regulations.

- (1) The Secretary of State may by regulations—
- (a) make provision with respect to the registration of vehicles (including, in particular, the form of and the particulars to be included in the register of trade licences),
 - (b) require the Secretary of State to make with respect to registered vehicles the returns prescribed by the regulations,
 - (c) provide for making any particulars contained in the register available for use by the persons prescribed by the regulations on payment, in cases so prescribed, of a fee of such amount as appears to the Secretary of State reasonable in the circumstances of the case,
 - (d) require a person by^{F4}, through] or to whom any vehicle is sold or disposed of to furnish the particulars prescribed by the regulations in the manner so prescribed,
 - ^{F5}(dd) require a person by [^{F6}or through]whom any vehicle is sold or disposed of to furnish the person to whom it is sold or disposed of with such document relating to the vehicle’s registration as may be prescribed by the regulations, and to do so at such time as may be so prescribed.]
 - (e) provide for the issue of registration documents in respect of the registration of a vehicle,
 - (f) provide for the transfer, surrender and production of registration documents,
 - (g) provide for the inspection of registration documents by the persons prescribed by the regulations,^{F7} ...
 - (h) provide for the issue of new registration documents in place of registration documents which are or may be lost, stolen^{F8}, surrendered], destroyed or damaged [^{F9}or which contain any particulars which have become illegible or inaccurate],
 - ^{F10}(ha) require the destruction of a registration document where a new registration document is issued in place of it,]
 - ^{F11}(i) provide for a fee of such amount as appears to the Secretary of State to be reasonable to be paid on the issue of new registration documents in any of the circumstances mentioned in paragraph (h).]
- ^{F12}(1A) The Secretary of State may make regulations providing for the sale of information derived from particulars contained in the register—
- (a) to such persons as the Secretary of State thinks fit, and
 - (b) for such price and on such other terms, and subject to such restrictions, as he thinks fit,

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if the information does not identify any person or contain anything enabling any person to be identified.

(1B) Without prejudice to the generality of paragraph (d) of subsection (1)^{F13} ... , regulations under that paragraph may require—

- (a) any person there mentioned to furnish particulars to [^{F14}another person there mentioned or to the Secretary of State or to another such person and to the Secretary of State;]
- (b) any person there mentioned who is furnished with particulars in pursuance of the regulations to furnish them to the Secretary of State.]

[^{F15}(1C) Regulations under subsection (1)(e) may, in particular, provide that registration documents need not be issued in respect of the registration of a vehicle until the vehicle has been inspected by a person specified by the Secretary of State.]

[^{F16}(1D) The Secretary of State may by regulations require a person—

- ^{F17}(a)
[who does not renew a vehicle licence for a vehicle registered under this Act
^{F18}(aa) in his name,]
 - (b) who does not renew a vehicle licence for a vehicle kept by him, or
 - (c) who keeps an unlicensed vehicle at any place in the United Kingdom,
- to furnish such particulars and make such declarations as may be prescribed by the regulations, and to do so at such times and in such manner as may be so prescribed.

[For the purposes of subsection (1D)(aa) a person shall be regarded as not renewing a
^{F19}(1DA) vehicle licence for a vehicle registered in his name if—

- (a) a vehicle for which a vehicle licence is in force is registered in his name, and
- (b) he does not, at such time as may be prescribed by the regulations or within such period as may be so prescribed, take out a vehicle licence to have effect from the expiry of the vehicle licence mentioned in paragraph (a).]

(1E) For the purposes of subsection (1D)(b) a person shall be regarded as not renewing a vehicle licence for a vehicle kept by him if—

- (a) he keeps a vehicle for which a vehicle licence is in force, and
- (b) he does not, at such time as may be prescribed by the regulations or within such period as may be so prescribed, take out a vehicle licence to have effect from the expiry of the vehicle licence mentioned in paragraph (a).

(1F) For the purposes of subsection (1D)(c) a vehicle is unlicensed if no vehicle licence is in force for the vehicle.

(1G) Regulations under subsection (1D) may make such transitional provision as appears to the Secretary of State to be appropriate.]

(2) Regulations made by the Secretary of State may—

- (a) extend any of the provisions as to registration (and provisions incidental to any of those provisions) to, and
- (b) provide for the identification of,
any [^{F20}exempt vehicles or] any vehicles belonging to the Crown ^{F21}....

[^{F22}(2A) Regulations under subsection (2) may, in particular—

- (a) require a person applying for a nil licence—
 - (i) to make [^{F23}any such] declaration, and

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- (ii) to furnish [^{F24}any] such particulars [^{F25}and any such documentary or other evidence],
 (whether or not with respect to the vehicle for which the licence is to be taken out) as may be prescribed by the regulations, ^{F26}...
- (b) provide for any requirement to make such a declaration not to apply in such circumstances as may be so prescribed.
- ^{F27}[
^{F28}(c)
- (d) require a person issued with a nil licence which ceases to be in force in circumstances prescribed by the regulations to furnish to the Secretary of State [^{F29}any] such particulars [^{F30}and any such documentary or other evidence] and make [^{F29}any] such declarations as may be so prescribed, and to do so at such times and in such manner as may be so prescribed.]
- ^{F22}(2B) The circumstances which may be prescribed by the regulations by virtue of subsection (2A)(b) include where a person applying for a nil licence agrees to comply with such conditions as may be specified in relation to him by the Secretary of State.
- ^{F22}(2C) The conditions which may be specified by virtue of subsection (2B) include—
- (a) a condition that particulars for the time being prescribed by the regulations by virtue of subsection (2A)(a) are furnished by being transmitted to the Secretary of State by such electronic means as he may specify; and
- (b) a condition such as is mentioned in section 7(3B)(b) (treating the references to paragraph (a) of subsection (3B) as references to paragraph (a) of this subsection).]
- ^{F31}(3)
- ^{F32}(4)

Textual Amendments

- F4** Words in s. 22(1)(d) inserted (29.4.1996) by 1996 c. 8, s. 23, **Sch. 2 para. 4(1)(2)**
- F5** S. 22(1)(dd) inserted (1.5.1995) by 1995 c. 4, s. 19, **Sch. 4 Pt. IV para. 34(1)(2)**
- F6** Words in s. 22(1)(dd) inserted (29.4.1996) by 1996 c. 8, s. 23, **Sch. 2 para. 4(1)(3)**
- F7** S. 22(1)(g): word immediately preceding para. (h) repealed (29.4.1996) by 1996 c. 8, s. 205, **Sch. 41 Pt. II(6)**
- F8** Word in s. 22(1)(h) inserted (17.9.2002) by 2001 c. 3, ss. 33(1), 44; S.I. 2002/2377, **art. 2(b)**
- F9** Words in s. 22(1)(h) inserted (29.4.1996) by 1996 c. 8, s. 23, **Sch. 2 para. 4(1)(4)**
- F10** S. 22(1)(ha) inserted (21.7.2009) by Finance Act 2009 (c. 10), s. 120
- F11** S. 22(1)(i) inserted (29.4.1996) by 1996 c. 8, s. 23, **Sch. 2 para. 4(1)(4)**
- F12** S. 22(1A)(1B) inserted (1.5.1995) by 1995 c. 4, s. 19, **Sch. 4 Pt. IV para. 34(1)(3)**
- F13** Word in s. 22(1B) repealed (29.4.1996) by 1996 c. 8, s. 205, **Sch. 41 Pt. II(6)**
- F14** Words in s. 22(1B)(a) substituted (29.4.1996) by 1996 c. 8, s. 23, **Sch. 2 para. 5**
- F15** S. 22(1C) inserted (29.4.1996) by 1996 c. 8, s. 23, **Sch. 2 para. 6**
- F16** S. 22(1D)-(1G) inserted (29.4.1996) by 1996 c. 8, s. 23, **Sch. 2 para. 7**
- F17** S. 22(1D)(a) omitted (1.1.2009) by virtue of Finance Act 2008 (c. 9), s. 144(4)(7)
- F18** S. 22(1D)(aa) inserted (30.11.2003) by Finance Act 2002 (c. 23), s. 19, **Sch. 5 para. 6(1); S.I. 2003/3086, art. 2(b)**
- F19** S. 22(1DA) inserted (24.7.2002 for the purpose of the exercise of any power to make regulations and 30.11.2003 otherwise) by Finance Act 2002 (c. 23), s. 19, **Sch. 5 para. 6(2); S.I. 2003/3086, art. 2(b)**
- F20** Words in s. 22(2) substituted (19.7.2018) by Haulage Permits and Trailer Registration Act 2018 (c. 19), s. 27(1), **Sch. para. 6(a)**

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- F21** Words in s. 22(2) omitted (19.7.2018) by virtue of [Haulage Permits and Trailer Registration Act 2018 \(c. 19\), s. 27\(1\), Sch. para. 6\(b\)](#)
- F22** S. 22(2A)-(2C) inserted (31.7.1997) by [1997 c. 58, s. 14\(3\)](#)
- F23** Words in s. 22(2A)(a)(i) substituted (17.9.2002) by [2001 c. 3, ss. 32\(2\)\(a\), 44; S.I. 2002/2377, art. 2\(a\)](#)
- F24** Word in s. 22(2A)(a)(ii) inserted (17.9.2002) by [2001 c. 3, ss. 32\(2\)\(b\)\(i\), 44; S.I. 2002/2377, art. 2\(a\)](#)
- F25** Words in s. 22(2A)(a)(ii) inserted (17.9.2002) by [2001 c. 3, ss. 32\(2\)\(b\)\(ii\), 44; S.I. 2002/2377, art. 2\(a\)](#)
- F26** Word in s. 22(2A)(a) repealed (31.7.1998 with effect as mentioned in Sch. 27 Pt. I(4) Note of the amending Act) by [1998 c. 36, s. 165, Sch. 27 Pt. I\(4\) Note](#)
- F27** S. 22(2A)(c) omitted (1.10.2014) by virtue of [Finance Act 2014 \(c. 26\), Sch. 19 paras. 7\(a\), 22](#)
- F28** S. 22(2A)(c)(d) inserted (31.7.1998) by [1998 c. 36, s. 18](#)
- F29** Word in s. 22(2A)(d) inserted (17.9.2002) by [2001 c. 3, ss. 43, 44, Sch. para. 4\(a\)\(c\); S.I. 2002/2377, art. 2\(c\)](#)
- F30** Words in s. 22(2A)(d) inserted (17.9.2002) by [2001 c. 3, ss. 43, 44, Sch. para. 4\(b\); S.I. 2002/2377, art. 2\(c\)](#)
- F31** S. 22(3) repealed (31.7.1997) by [1997 c. 58, s. 52, Sch. 8 Pt. I](#)
- F32** S. 22(4) omitted (1.10.2014) by virtue of [Finance Act 2014 \(c. 26\), Sch. 19 paras. 7\(b\), 22](#)

[^{F34}22ZA^{F33} ... Licences for vehicles for disabled persons: information

- (1) This section applies to information that—
- (a) is held for the purposes of functions relating to social security or war pensions—
 - (i) by the Secretary of State [^{F35}or a Northern Ireland department], or
 - (ii) by a person providing services to the Secretary of State [^{F35}or a Northern Ireland department], in connection with the provision of those services, and
 - (b) [^{F36}falls within subsection (1A) or] is of a description prescribed by regulations made by the Secretary of State.

[Information falls within this subsection if it is—

- ^{F37}(1A) (a) the name, date of birth or national insurance number of a person who is in receipt of a relevant payment, or would be in receipt of such a payment but for—
 - (i) regulations under section 86(1) of the Welfare Reform Act 2012 (treatment as in-patient in hospital or similar institution), or
 - (ii) corresponding provision having effect in relation to personal independence payment in Northern Ireland;
- (b) in the case of a person who is or would be in receipt of personal independence payment attributable to entitlement to the mobility component, the rate of the payment to which the person is or would be entitled;
 - (c) in the case of a person who has ceased or will cease to receive a relevant payment, the date on which the person ceased or will cease to receive it and the reason for the person ceasing to receive it.

(1B) In subsection (1A) “relevant payment” means—

- (a) personal independence payment attributable to entitlement to the mobility component, and
- (b) armed forces independence payment.]

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- (2) Information to which this section applies may, if the consent condition is satisfied, be supplied—
- (a) to the Secretary of State, or
 - (b) to a person providing services to the Secretary of State,
- for use for the purposes of relevant ^{F38}... licence functions.
- (3) The “consent condition”, in relation to any information, is that—
- (a) if the information was provided by a person other than the person to whom the information relates, the person who provided the information, or
 - (b) in any other case, the person to whom the information relates,
- has consented to the supply of the information and has not withdrawn that consent.
- (4) Information supplied under subsection (2) shall not—
- (a) be supplied by the recipient to any other person unless—
 - (i) it could be supplied to that person under subsection (2), or
 - (ii) it is supplied for the purposes of any civil or criminal proceedings relating to this Act;
 - (b) be used otherwise than for the purposes of relevant ^{F39}... licence functions or any such proceedings.
- [^{F40}(5) In this section “relevant licence functions” means functions relating to applications for, and the issue of—
- (a) vehicle licences in respect of vehicles to which paragraph 1ZA of Schedule 1 applies, and
 - (b) nil licences in respect of vehicles that are exempt vehicles under paragraph 19 of Schedule 2 or paragraph 7 of Schedule 4.]]

Textual Amendments

- F33** Word in s. 22ZA heading omitted (retrospective to 8.4.2013) by virtue of [Finance Act 2013 \(c. 29\)](#), [Sch. 37 paras. 3\(4\), 7](#)
- F34** S. 22ZA inserted (24.7.2002) by [Finance Act 2002 \(c. 23\)](#), [s. 17](#)
- F35** Words in s. 22ZA(1)(a)(i)(ii) inserted (10.7.2003) by [Finance Act 2003 \(c. 14\)](#), [s. 15](#)
- F36** Words in s. 22ZA(1)(b) inserted (retrospective to 8.4.2013) by [Finance Act 2013 \(c. 29\)](#), [Sch. 37 paras. 3\(2\), 7](#)
- F37** S. 22ZA(1A)(1B) inserted (retrospective to 8.4.2013) by [Finance Act 2013 \(c. 29\)](#), [Sch. 37 paras. 3\(3\), 7](#)
- F38** Word in s. 22ZA(2) omitted (retrospective to 8.4.2013) by virtue of [Finance Act 2013 \(c. 29\)](#), [Sch. 37 paras. 3\(4\), 7](#)
- F39** Word in s. 22ZA(4) omitted (retrospective to 8.4.2013) by virtue of [Finance Act 2013 \(c. 29\)](#), [Sch. 37 paras. 3\(4\), 7](#)
- F40** S. 22ZA(5) substituted (retrospective to 8.4.2013) by [Finance Act 2013 \(c. 29\)](#), [Sch. 37 paras. 3\(5\), 7](#)

[^{F41}22A Vehicle identity checks

- (1) This section applies to regulations under section 22(1)(h) which confer a power on the Secretary of State to refuse to issue a new registration document in respect of a registered vehicle if he is not satisfied that the vehicle for which the document is being sought is the registered vehicle.

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- (2) Such regulations may, in particular, provide for—
- (a) the examination (whether by the Secretary of State or by persons authorised by him) of all vehicles for which new registration documents are being sought, or such vehicles of a particular description, for the purpose of ascertaining whether they are the registered vehicles concerned,
 - (b) the provision of other evidence in relation to all vehicles for which new registration documents are being sought, or such vehicles of a particular description, for the purpose of ascertaining whether they are the registered vehicles concerned.
- (3) Regulations made by virtue of subsection (2) may, in particular, provide for—
- (a) notification of examinations (including their purpose), the issue of certificates as to the outcome of examinations and the keeping of records in relation to examinations and certificates,
 - (b) the issue of duplicates or copies of certificates and the fees to be paid on applications for such duplicates or copies,
 - (c) the correction of errors in certificates,
 - (d) the payment of fees for examinations, and for re-examinations resulting from appeals and the repayment of the whole or part of the fee paid for such a re-examination where it appears to the Secretary of State that there were substantial grounds for contesting the whole or part of the decision appealed against,
 - (e) the making of appeals against the outcome of examinations,
 - (f) the carrying out of examinations in the absence of the keepers or owners of the vehicles concerned,
 - (g) courses of instruction in connection with the carrying out of examinations and the charging of fees in respect of attendance on such courses,
 - (h) the authorisation of examiners, the imposition of conditions to be complied with by authorised examiners (including the payment of fees to the Secretary of State) and the withdrawal of authorisations,
 - (i) the manner in which, conditions under which and apparatus with which examinations are carried out by authorised examiners, and the inspection of premises at which and apparatus with which such examinations are being, or are to be, carried out,
 - (j) the charges to be paid by authorised examiners to the Secretary of State in connection with—
 - (i) the issue of certificates,
 - (ii) the issue of duplicates or copies of certificates, and
 - (iii) the correction of errors in certificates.
- (4) The Secretary of State may use information contained in relevant records—
- (a) to check the accuracy of information which has been obtained under regulations made by virtue of subsection (2), and
 - (b) where appropriate, to amend or supplement any such information.
- (5) The Secretary of State may use information which has been obtained under regulations made by virtue of subsection (2)—
- (a) to check the accuracy of relevant records, and
 - (b) where appropriate, to amend or supplement information contained in those records.

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- (6) In subsections (4) and (5) “relevant records” means records—
- (a) maintained by the Secretary of State in connection with any functions exercisable by him under or by virtue of this Act,
 - (b) records maintained by the Secretary of State (or caused by him to be maintained) under section 45(6B) of the Road Traffic Act 1988 (c.52).
- (7) Subsections (4) to (6) do not limit any powers of the Secretary of State apart from those subsections.
- (8) This section is without prejudice to the generality of the powers conferred by section 22.]

Textual Amendments

F41 S. 22A inserted (17.9.2002) by 2001 c. 3, ss. 33(2), 44; S.I. 2002/2377, art. 2(b)

Registration marks

23 Registration marks.

- (1) Where the Secretary of State registers a vehicle under section 21(1) he shall assign to the vehicle a mark (a “registration mark”) indicating the registered number of the vehicle.
- (2) The Secretary of State may, in such circumstances as he may determine—
- (a) assign a registration mark to a vehicle to which another registration mark has previously been assigned,
 - (b) assign to a vehicle (whether on its first registration or later) a registration mark previously assigned to another vehicle,
 - (c) (whether or not in connection with an assignment within paragraph (a) or (b)) withdraw any registration mark for the time being assigned to a vehicle, and
 - (d) re-assign to a vehicle a registration mark previously assigned to it but subsequently withdrawn.
- (3) The Secretary of State may by regulations provide that the registration mark for the time being assigned to a vehicle shall be fixed, in the manner prescribed by the regulations, on the vehicle, on any other vehicle drawn by the vehicle or on both.
- (4) The Secretary of State may by regulations prescribe—
- (a) the size, shape and character of registration marks to be fixed on any vehicle, and
 - (b) the manner in which registration marks are to be displayed and rendered easily distinguishable (whether by day or by night).
- (5) The Secretary of State may by regulations—
- (a) make provision for assigning general registration marks to persons holding trade licences and (in particular) prescribe the registration marks to be carried by vehicles the use of which is authorised by a trade licence, and
 - (b) make provision for the issue of trade plates to holders of trade licences and for the charging of a fee for the replacement of trade plates which are or may be lost, stolen, destroyed or damaged.

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24 Assignment of registration marks by motor dealers.

- (1) The Secretary of State may by regulations make such provision as he considers appropriate with respect to the allocation of registration marks for vehicles to motor dealers who—
 - (a) apply for such allocations, and
 - (b) appear to the Secretary of State suitable to receive them,and with respect to the assigning of the marks to vehicles by motor dealers.
- (2) Regulations under this section may, in particular, include provision—
 - (a) as to the mode of application for the allocation of registration marks,
 - (b) as to the transfer of registration marks allocated to a motor dealer in cases where the motor dealer dies or becomes incapacitated or bankrupt and in such other cases as may be prescribed by the regulations, and
 - (c) as to the cancellation of allocations of registration marks.
- (3) The provision which may be made by regulations under this section also includes provision for—
 - (a) restricting the circumstances in which a motor dealer may assign a registration mark to a vehicle,
 - (b) securing that registration marks allocated to a motor dealer are assigned by him in such sequence as the Secretary of State considers appropriate and that no registration mark is assigned to a vehicle to which a registration mark has already been assigned, and
 - (c) requiring a motor dealer to furnish to the Secretary of State within the period prescribed by the regulations such particulars in respect of each vehicle to which the motor dealer assigns a registration mark as are so prescribed.
- (4) Where—
 - (a) the Secretary of State—
 - (i) rejects an application by a motor dealer for an allocation of registration marks, or
 - (ii) cancels an allocation of registration marks made to a motor dealer, and
 - (b) the motor dealer, within the period prescribed by regulations made by the Secretary of State, requests him to review his decision,the Secretary of State shall comply with the request and (in doing so) consider any representations made to him in writing during that period by the motor dealer.
- (5) Where the Secretary of State cancels an allocation of registration marks made to a motor dealer—
 - (a) the cancellation does not take effect before the end of the period prescribed by regulations made by the Secretary of State, and
 - (b) where during that period the motor dealer requests the Secretary of State to review his decision, the cancellation does not take effect before the Secretary of State gives notice in writing of the result of the review to the motor dealer.
- (6) For the purposes of subsection (5)(b) notice may be given to a person by—
 - (a) delivering it to him,
 - (b) leaving it at his proper address, or
 - (c) sending it to him by post;

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and for the purposes of this subsection, and of section 7 of the ^{M1}Interpretation Act 1978 in its application to this subsection, the proper address of a person is his latest address as known to the Secretary of State.

Marginal Citations

M1 1978 c. 30.

25 Charge on request for registration mark.

- (1) The Secretary of State may by regulations provide for a charge prescribed by the regulations to be made in cases where, by request, a particular registration mark is assigned to a vehicle (whether on its first registration or later), having previously been assigned to another vehicle.
- (2) The regulations may—
 - (a) require—
 - (i) the vehicle to which a mark is requested to be assigned, and
 - (ii) in cases prescribed by the regulations, the other vehicle,
 to be made available for inspection at a place designated by or under the regulations, and
 - (b) provide for a charge prescribed by the regulations to be made for the inspection and for the whole or part of the charge to be retained whether or not the mark is assigned as requested.
- (3) Charges prescribed for the purposes of this section need not be related to the costs of—
 - (a) making an assignment, or
 - (b) arranging for a vehicle to be inspected.

26 Retention of registration mark pending transfer.

- [^{F42}(1) The Secretary of State may by regulations provide for—
- (a) a person in whose name a vehicle is registered under this Act, or
 - (b) if that person so requests, another person,
- to be granted a right of retention in respect of the registration mark for the time being assigned to the vehicle.
- (1A) In subsection (1), the reference to a right of retention is to a right, exercisable on a single occasion falling within a period prescribed by regulations made by the Secretary of State, to have the registration mark assigned to some other vehicle which is registered under this Act in the name of—
- (a) the person to whom the right is granted, or
 - (b) some other person nominated by him in accordance with regulations made by the Secretary of State.]
- (2) Regulations under this section may, in particular, make provision—
- (a) for the manner in which an application for the grant of [^{F43}a right of retention] is to be made to the Secretary of State,

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- (b) for the payment of a fee prescribed by the regulations on the making of such an application and for the whole or part of the fee to be retained whether or not the application is granted,
 - (c) for requiring the vehicle to which the registration mark is for the time being assigned to be made available for inspection at a place designated by or under the regulations,
 - (d) for authorising the Secretary of State to refuse such an application on such grounds as he thinks fit,
 - (e) with respect to the manner in which rights of retention are to be exercisable,
 - (f) for enabling or requiring the Secretary of State, on the payment to him of a fee prescribed by the regulations, to extend or (on one or more occasions) further extend the period referred to in [F⁴⁴subsection (1A)] where—
 - (i) the conditions so prescribed are fulfilled, and
 - (ii) he thinks fit to do so in the circumstances of the case,
 - (g) for rights of retention to be non-transferable (but without prejudice to the vesting of any such right in a person by operation of law),
 - (h) with respect to the conditions which must be satisfied before a registration mark may be assigned to a vehicle pursuant to a right of retention,
 - (i) for authorising the Secretary of State to revoke a right of retention—
 - (i) if it appears to him that there are special reasons for doing so, or
 - (ii) in any other circumstances prescribed by the regulations,
 - (j) for allowing a person to be nominated when an application for the grant of a right of retention is made or to be nominated at a later time,
 - (k) for allowing a different person to be nominated in place of a person already nominated,
 - (l) for the manner in which a nomination is to be made and for the payment of a fee prescribed by the regulations where a nomination is made in circumstances so prescribed, and
 - (m) for the payment, in connection with the assignment of a registration mark pursuant to a right of retention, of such charge as is for the time being prescribed by virtue of section 25(1).
- (3) Regulations under this section may exempt extensions or assignments of any class or description prescribed by the regulations from any fee or charge payable by virtue of subsection (2)(f) or (m).
- (4) An extension or nomination is exempt from a fee payable by virtue of subsection (2)(f) or (l) if the Secretary of State considers it appropriate in the circumstances of the case.
- (5) Where regulations under this section provide in any case for there to be no charge in connection with the assignment of a registration mark pursuant to a right of retention—
- (a) the fee prescribed by virtue of paragraph (b) of subsection (2) in relation to an application for that right may include an amount representing the charge for which provision could have been made by virtue of paragraph (m) of that subsection, and
 - (b) the regulations may provide for the part of any such fee which represents a charge for which provision could have been so made to be retained, except where conditions prescribed by the regulations are fulfilled, whether or not there is an assignment.

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Changes to legislation: *Vehicle Excise and Registration Act 1994, Part II is up to date with all changes known to be in force on or before 11 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (6) The assignment by the Secretary of State of a registration mark to a vehicle pursuant to a right of retention is without prejudice to the subsequent exercise by him, in relation to the mark, of any of his powers under section 23(2).

Textual Amendments

- F42** S. 26(1)(1A) substituted (19.7.2007) for s. 26(1) by [Vehicle Registration Marks Act 2007 \(c. 14\), s. 1\(1\)](#)
- F43** Words in s. 26(2)(a) substituted (19.7.2007) by [Vehicle Registration Marks Act 2007 \(c. 14\), s. 1\(2\)\(a\)](#)
- F44** Words in s. 26(2)(f) substituted (19.7.2007) by [Vehicle Registration Marks Act 2007 \(c. 14\), s. 1\(2\)\(b\)](#)

27 Sale of rights to particular registration marks.

- (1) This section applies to registration marks which either—
- (a) have never been assigned to a vehicle, or
 - (b) have been assigned to a vehicle but (as a result of having been subsequently withdrawn) are not for the time being so assigned,
- and which are such as the Secretary of State may from time to time determine.
- (2) The Secretary of State may by regulations make a scheme providing for registration marks to which this section applies to be assigned to vehicles registered under this Act in the names of, or of the nominees of, persons who have acquired rights under the scheme to have the marks so assigned.
- (3) Regulations under this section may, in particular, make provision—
- (a) for a person to acquire a right under the scheme to have a particular registration mark to which this section applies assigned to a vehicle registered under this Act in his name, or in the name of some other person nominated by him in accordance with the scheme, on payment of such sum as is payable in accordance with the scheme—
 - (i) in respect of the acquisition of the right, and
 - (ii) where no charge is to be made by virtue of paragraph (m) in connection with an assignment pursuant to the right, in respect of such an assignment,
 - (b) with respect to—
 - (i) the manner in which agreements for the sale of such a right (a “relevant right”) may be effected,
 - (ii) the terms which may be contained in, or incorporated into, such agreements, and
 - (iii) rights and liabilities arising in connection with such agreements otherwise than under any such terms,
 - (c) for enabling the Secretary of State to determine as he thinks fit—
 - (i) the prices at which particular relevant rights are to be sold or the reserve prices applicable to the sale of any such rights, or
 - (ii) the manner in which any such prices are to be determined,
 - (d) with respect to the manner in which relevant rights are to be exercisable,
 - (e) for relevant rights to be exercisable only on a single occasion falling within a period prescribed by the regulations (subject to any provision made by virtue of paragraph (f)),

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- (f) for enabling or requiring the Secretary of State, on the payment to him of a fee prescribed by the regulations, to extend or (on one or more occasions) further extend any such period where—
 - (i) the conditions so prescribed are fulfilled, and
 - (ii) he thinks fit to do so in the circumstances of the case,
 - (g) for relevant rights to be non-transferable (but without prejudice to the vesting of any such right in a person by operation of law),
 - (h) with respect to the conditions which must be satisfied before a registration mark may be assigned to a vehicle pursuant to a relevant right,
 - (i) for authorising the Secretary of State to revoke a relevant right—
 - (i) if it appears to him that there are special reasons for doing so, or
 - (ii) in any other circumstances prescribed by the regulations,
 - (j) for allowing a person to be nominated when a relevant right is acquired or to be nominated at a later time,
 - (k) for allowing a different person to be nominated in place of a person already nominated,
 - (l) for the manner in which a nomination is to be made and for the payment of a fee prescribed by the regulations where a nomination is made in circumstances so prescribed,
 - (m) for the payment, in connection with the assignment of a registration mark pursuant to a relevant right, of such charge as is for the time being prescribed by virtue of section 25(1), and
 - (n) for so much of any sum paid by virtue of paragraph (a) in respect of the assignment of a registration mark to be retained, except where conditions prescribed by the regulations are fulfilled, whether or not there is such an assignment.
- (4) Regulations under this section may (without prejudice to the generality of subsection (3)(b)) make provision for authorising the Secretary of State to make arrangements with other persons by which such persons—
- (a) are given authority (whether irrevocable or otherwise) to act on his behalf in offering for sale, and entering into agreements for the sale of, relevant rights in the case of such registration marks, and during such periods, as he may determine,
 - (b) are required to account to him for sums due to him under such agreements (whether they have received any amounts due from the purchasers under the agreements or not), and
 - (c) may become entitled or subject to such rights or liabilities of the Secretary of State in connection with such agreements as may be prescribed by the regulations.
- (5) Regulations under this section may exempt extensions or assignments of any class or description prescribed by the regulations from any fee or charge payable by virtue of subsection (3)(f) or (m).
- (6) An extension or nomination is exempt from a fee payable by virtue of subsection (3)(f) or (l) if the Secretary of State considers it appropriate in the circumstances of the case.
- (7) The assignment by the Secretary of State of a registration mark to a vehicle pursuant to a relevant right is without prejudice to the subsequent exercise by him, in relation to the mark, of any of his powers under section 23(2).

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PROSPECTIVE

[^{F45} Registration plates]

Textual Amendments

F45 S. 27A and cross-heading inserted (*prosp.*) by 2001 c. 3, ss. 34, 44

[^{F46}27A Registration plates

- (1) The Secretary of State may by regulations—
- (a) prescribe specifications for registration plates (whether relating to their size, shape, material of manufacture or otherwise),
 - (b) provide for registration plates to contain or display such information other than registration marks or (as the case may be) special registration marks as may be specified or described in the regulations.

- (2) Regulations under subsection (1)(b) may, in particular, prescribe the form and manner in which any such information is to be contained or displayed.

- (3) In this section “registration plates” means—

- (a) plates or other devices for displaying registration marks and for fixing them on vehicles or trailers in accordance with regulations under section 23(3), or
- (b) plates or other devices for displaying special registration marks and for fixing them on vehicles or trailers in accordance with regulations under section 22(2),

and includes plates or other devices which are also for containing or displaying information other than registration marks or (as the case may be) special registration marks (whether or not such information is to be contained or displayed by virtue of regulations under this section).

- (4) In this section—

“special registration mark” means a mark indicating the registered number of a vehicle or trailer and assigned to the vehicle or trailer by virtue of regulations under section 22(2), and

“trailer” has the same meaning as in Part 8 of Schedule 1.]

Textual Amendments

F46 S. 27A and cross-heading inserted (*prosp.*) by 2001 c. 3, ss. 34, 44

Marking

28 Marking of engines and bodies.

- (1) The Secretary of State may by regulations make such provision as he thinks appropriate with respect to the marking of the engines and bodies of vehicles.

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- (2) Regulations under this section may, in particular, include provision—
- (a) as to the persons by whom and the times at which engines and bodies of vehicles are to be marked,
 - (b) as to the form of any mark and the manner and position in which it is to be made, and
 - (c) for requiring particulars of marks made under the regulations to be furnished to the Secretary of State.

F⁴⁷Power of constables etc. to require production of documents

Textual Amendments

F47 S. 28A and cross heading inserted (1.7.2005) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), [s. 151](#); [S.I. 2005/1521](#), [art. 3\(1\)\(u\)](#) (subject to [art. 3\(4\)\(5\)](#))

28A Power of constables etc. to require production of registration documents

- (1) A person using a vehicle in respect of which a registration document has been issued must produce the document for inspection on being so required by—
- (a) a constable, or
 - (b) a person authorised by the Secretary of State for the purposes of this section (an “authorised person”).
- (2) An authorised person exercising the power conferred by subsection (1) must, if so requested, produce evidence of his authority to exercise the power.
- (3) A person is guilty of an offence if he fails to comply with subsection (1).
- (4) Subsection (3) does not apply if any of the following conditions is satisfied.
- (5) The first condition is that—
- (a) the person produces the registration document, in person, at a police station specified by him at the time of the request, and
 - (b) he does so within 7 days after the date on which the request was made or as soon as is reasonably practicable.
- (6) The second condition is that—
- (a) the vehicle is subject to a lease or hire agreement,
 - (b) the vehicle is not registered in the name of the lessee or hirer under that agreement and is not required to be so registered,
 - (c) the person produces appropriate evidence of the agreement to the constable or authorised person at the time of the request or he produces such evidence in person, at a police station specified by him at the time of the request—
 - (i) within 7 days after the date of the request, or
 - (ii) as soon as is reasonably practicable, and
 - (d) the person has reasonable grounds for believing, or it is reasonable for him to expect, that the person from whom the vehicle has been leased or hired is able to produce, or require the production of, the registration document.
- (7) In subsection (6)(c) “appropriate evidence” means—

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- (a) a copy of the agreement, or
 - (b) such other documentary evidence of the agreement as is prescribed in regulations under this section.
- (8) The third condition is that any exception prescribed in regulations under this section is met.
- (9) Where a requirement is imposed under subsection (1) by an authorised person, a testing station provided under section 52(2) of the Road Traffic Act 1988 may be specified under subsection (5)(a) or (6)(c) instead of a police station.
- (10) A person accused of an offence under this section is not entitled to the benefit of an exception conferred by or under this section unless evidence is adduced that is sufficient to raise an issue with respect to that exception, but where evidence is so adduced it is for the prosecution to prove beyond reasonable doubt that the exception does not apply.
- (11) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (12) The Secretary of State may make regulations—
 - (a) prescribing descriptions of evidence for the purposes of subsection (7);
 - (b) prescribing, varying or revoking exceptions for the purposes of subsection (8).
- (13) In this section “registration document” means a registration document issued in accordance with regulations under section 22(1)(e).]

Status:

Point in time view as at 19/07/2018. This version of this part contains provisions that are prospective.

Changes to legislation:

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