

SCHEDULE

Section 43

CONSEQUENTIAL AMENDMENTS

Scrap Metal Dealers Act 1964 (c. 69)

- 1 (1) Section 6 of the Scrap Metal Dealers Act 1964 (rights of entry and inspection) shall be amended as follows.
- (2) In subsection (1)(b)—
- (a) after “book”, where it appears for the first time, there shall be inserted “or record”;
 - (b) after “by” there shall be inserted “virtue of”; and
 - (c) after “book”, where it appears for the second time, there shall be inserted “, record”.
- (3) In subsection (3) after “the provisions of” there shall be inserted “, or made under”.
- (4) In subsection (5) after “book” there shall be inserted “, record”.
- 2 In section 9(1) of that Act (definition of carrying on business as a scrap metal dealer)—
- (a) after “articles” there shall be inserted “or as part of the carrying on of a business as a motor salvage operator (within the meaning of Part 1 of the Vehicles (Crime) Act 2001) so far as it consists of any of the activities mentioned in section 1(2) of that Act”;
 - (b) after “manufacture”, where it appears for the second time, there shall be inserted “or of such a business”; and
 - (c) after “manufacture”, where it appears for the third time, there shall be inserted “or for such a business”.

Vehicle Excise and Registration Act 1994 (c. 22)

- 3 In section 7(2) of the Vehicle Excise and Registration Act 1994 (applications for certain vehicle licences)—
- (a) for “and particulars”, where it appears for the first time, there shall be substituted “, particulars and evidence”; and
 - (b) for “and particulars of” there shall be substituted “particulars of and evidence in relation to”.
- 4 In section 22(2A)(d) of that Act (registration regulations about nil licences)—
- (a) after “State” there shall be inserted “any”;
 - (b) after “particulars” there shall be inserted “and any such documentary or other evidence”; and
 - (c) after “make” there shall be inserted “any”.
- 5 After section 43A of that Act there shall be inserted—

“43B Vehicle identity checks: impersonation of authorised examiners

- (1) A person is guilty of an offence if, with intent to deceive, he falsely represents himself to be a person entitled under regulations made by virtue

Status: This is the original version (as it was originally enacted).

of section 22A(2) to carry out examinations of vehicles in accordance with regulations so made.

(2) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.”

6 (1) Paragraph 22 of Schedule 2 to that Act (vehicles which are exempt from vehicle excise duty: vehicle testing etc.) shall be amended as follows.

(2) In sub-paragraph (1)—

(a) in paragraph (a) after “compulsory test” there shall be inserted “, a vehicle identity check”; and

(b) in paragraph (b) after “test” there shall be inserted “or check”.

(3) In sub-paragraph (2)—

(a) after “weight test,” there shall be inserted “or a vehicle identity check or”; and

(b) in paragraphs (a) and (b) after “test”, in each place where it appears, there shall be inserted “, check”.

(4) After sub-paragraph (6) there shall be inserted—

“(6ZA) In this paragraph “a vehicle identity check” means any examination of a vehicle for which provision is made by regulations made by virtue of section 22A(2) of this Act.”

(5) In sub-paragraph (6B) after “compulsory test” there shall be inserted “, a vehicle identity check”.

(6) In sub-paragraph (7), at the end of paragraph (c) and before the word “and” there shall be inserted—

“(ca) in the case of an examination of a vehicle for which provision is made by regulations made by virtue of section 22A(2) of this Act, the Secretary of State or a person authorised by him to carry out the examination;”.

Justices of the Peace Act 1997 (c. 25)

7 After section 55(7) of the Justices of the Peace Act 1997 (limits on expenditure of local authorities outside Greater London in relation to magistrates' courts) there shall be inserted—

“(7A) Subsection (7) above does not apply in relation to any expenditure or payments whose cost is, or is to be, met by payments under section 38 of the Vehicles (Crime) Act 2001 (unified power for Secretary of State to fund speed cameras etc.).”

8 (1) Section 57 of that Act (grants by Lord Chancellor to local authorities outside Greater London) shall be amended as follows.

(2) In subsection (1) (grants towards non-capital expenditure) at the end there shall be inserted “and any expenditure which is, or is to be, met by payments under section 38 of the Vehicles (Crime) Act 2001”.

(3) In subsection (2) (grants towards capital expenditure) at the end there shall be inserted “; and in determining any such expenditure for the purposes of this section

there shall be disregarded any capital expenditure which is, or is to be, met by payments under section 38 of the Vehicles (Crime) Act 2001”.

9 In section 58(1) of that Act (certain local authority land appropriated to magistrates' courts purposes) after “section 57(2) above” there shall be inserted “or section 38 of the Vehicles (Crime) Act 2001”.

10 After section 59B(7) of that Act (funding arrangements for the Greater London Magistrates' Courts Authority) there shall be inserted—

“(7A) References in this section to the Authority’s expenditure do not include expenditure which is, or is to be, met by payments under section 38 of the Vehicles (Crime) Act 2001.”