
STATUTORY INSTRUMENTS

1997 No. 3063

ROAD TRAFFIC

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

<i>Made</i>	- - - -	<i>22nd December</i> <i>1997</i>
<i>Laid before Parliament</i>		<i>30th December 1997</i>
<i>Coming into force</i>	- -	<i>2nd February 1998</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 57(1), (2) and (3) of, and Schedule 2A to, the Vehicle Excise and Registration Act 1994⁽¹⁾ 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 1997 and shall come into force on 2nd February 1998.

Preliminary

2. The Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations⁽²⁾ shall be amended in accordance with the following provisions of these Regulations.

Amendment of regulation 2 (Interpretation)

3. In regulation 2(1)—

(a) for the definition of “local authority” there shall be substituted—

““local authority” means—

- (a) in relation to England, a county council, a district council, a London borough council or the Common Council of the City of London;
- (b) in relation to Wales, a county council or county borough council;
- (c) in relation to Northern Ireland, a district council;”.

(1) 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).

(2) S.I.1997/2439.

- (b) for the definition of “public service vehicle” there shall be substituted—
- ““public service vehicle”—
- (a) in relation to England and Wales has the meaning given by section 1 of the Public Passenger Vehicles Act⁽³⁾; and
 - (b) in relation to Northern Ireland has the meaning given by Article 2(2) of the Road Traffic (Northern Ireland) Order 1981⁽⁴⁾.”.

Amendment of regulation 4 (Disapplication of the Regulations)

4. In regulation 4(1) after the word “vehicle” there shall be inserted the words “which is on a public road”.

Amendment of regulation 5 (Power to immobilise vehicles)

5. In regulation 5(1) for the words “or in Wales” there shall be substituted “, Wales or Northern Ireland”.

Amendment of regulation 9 (Removal of vehicles)

6. In regulation 9(1)(a) for the words “or in Wales” there shall be substituted “, Wales or Northern Ireland”.

Amendment of regulation 17 (Disputes)

7. In regulation 17(5) after the words “magistrates' court” there shall be inserted the words “or (in Northern Ireland) a court of summary jurisdiction”.

Signed by authority of the Secretary of State

Helene Hayman
Parliamentary Under Secretary of State,
Department of the Environment, Transport and
the Regions

22nd December 1997

(3) 1981 c. 14. Section 1 was amended by Schedule 8 to the Transport Act 1985 (c. 67).

(4) S.I. 1981/154 (N.I. 1); Article 2(2) was amended by S.I. 1981/1117 (N.I. 24), Article 3 and by S.I. 1990/994 (N.I. 7), Article 7 and Schedule 2.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997 so that they now apply to Northern Ireland and make a clarifying amendment to regulation 5.