
STATUTORY INSTRUMENTS

1997 No. 401

ROAD TRAFFIC

The Road Vehicles (Registration and Licensing) (Amendment) Regulations 1997

<i>Made</i>	- - - -	<i>20th February 1997</i>
<i>Laid before Parliament</i>		<i>27th February 1997</i>
<i>Coming into force</i>	- -	<i>24th March 1997</i>

The Secretary of State, in exercise of the powers conferred by sections 10, 22(1)(d) and (dd) and (1B) and 57(1), (2) and (3) of the Vehicle Excise and Registration Act 1994⁽¹⁾, and of all powers enabling him in that behalf, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Registration and Licensing) (Amendment) Regulations 1997 and shall come into force on 24th March 1997.

Preliminary

2. The Road Vehicles (Registration and Licensing) Regulations 1971⁽²⁾ shall be further amended in accordance with the following provisions of these Regulations.

Amendment of Regulation 3

3. In regulation 3 after paragraph (1) there shall be inserted the following paragraph—

“(1A) Any reference in these Regulations to a registration book shall be construed to include a reference to any registration document issued by the Secretary of State.”

Amendment of Regulation 8(4)

4. In regulation 8(4) for the words “Regulation 12(2)” there shall be substituted the words “Regulations 12(2) and 12A(2), (3) and (5)”.

(1) 1994 c. 22. Section 22(1)(dd) and section 22(1B) were inserted by the Finance Act 1995 (c. 4), Schedule 4, paragraph 34(2) and (3); section 22(1)(d) and (dd) was amended by the Finance Act 1996 (c. 8), Schedule 2, paragraph 4(2) and (3).
(2) S.I.1971/450, to which there are amendments not relevant to these Regulations.

Amendment of Regulation 12

5.—(1) Regulation 12 shall be amended by the insertion at the beginning of the following paragraph—

“(1) This regulation applies where the current vehicle registration book was issued in respect of the vehicle before 24th March 1997.”

(2) In regulation 12, paragraph (1) shall be renumbered paragraph (1A).

Notification of change of ownership

6. After regulation 12 there shall be inserted the following regulation—

“Notification of change of ownership: vehicle registration document issued on or after 24th March 1997.

12A.—(1) This regulation applies where a vehicle registration document has been issued in respect of the vehicle on or after 24th March 1997.

(2) On a change of ownership of a mechanically propelled vehicle, where the new keeper is not a motor vehicle trader, the registered keeper—

(a) shall forthwith send to the Secretary of State on that part of the registration document which relates to the change of keeper the following—

(i) the name and address of the new keeper;

(ii) the date on which the vehicle was transferred to the new keeper;

(iii) a declaration signed by the registered keeper that the details given in accordance with sub-paragraphs (i) and (ii) are correct to the best of his knowledge; and

(iv) a declaration signed by the new keeper that the details given in accordance with sub-paragraphs (i) and (ii) are correct;

(b) shall forthwith give to the new keeper that part of the registration document which relates to the new keeper; and

(c) may give to the new keeper any current licence issued in respect of the vehicle on which vehicle excise duty has been paid.

(3) On a change of ownership of a mechanically propelled vehicle, where the new keeper is a motor vehicle trader but the registered keeper is not such a trader, the registered keeper—

(a) shall forthwith send to the Secretary of State, on that part of the registration document which relates to the transfer to a motor vehicle trader, the following—

(i) the name and address of the motor vehicle trader;

(ii) the date on which the vehicle was transferred to the motor vehicle trader;

(iii) a declaration signed by the registered keeper that he transferred the vehicle to the motor vehicle trader on the date specified in accordance with sub-paragraph (ii); and

(iv) a declaration signed by the motor vehicle trader that the vehicle was transferred to him on the date specified in accordance with sub-paragraph (ii); and

(b) shall forthwith give to the motor vehicle trader those parts of the registration document not required to be sent to the Secretary of State under sub-paragraph (a).

(4) Where a motor vehicle trader becomes the owner of a mechanically propelled vehicle, he shall—

- (a) notify the Secretary of State of the transfer of the vehicle to him before he uses, or permits the use of, or keeps the vehicle on public roads otherwise than under a trade licence; or
 - (b) where he has not notified the Secretary of State in accordance with sub-paragraph (a), notify the Secretary of State of the transfer of the vehicle to him before the expiration of the period of three months beginning on the day after the date on which the vehicle was last owned by a person who was not a motor vehicle trader.
- (5) Where a motor vehicle trader transfers a mechanically propelled vehicle to another person, he shall—
- (a) where the transfer is to another motor vehicle trader, before the expiration of the period of three months beginning on the day after the date on which the vehicle was last owned by a person who was not a motor vehicle trader, give to the new keeper those parts of the registration document not required to be sent to the Secretary of State under paragraph 3(a); and
 - (b) in any other case, forthwith send to the Secretary of State on that part of the registration document which relates to the change of keeper the following:
 - (i) the name and address of the new keeper;
 - (ii) the date on which the vehicle was transferred to the new keeper;
 - (iii) a declaration signed by him that the details given in accordance with sub-paragraphs (i) and (ii) are correct to the best of his knowledge; and
 - (iv) a declaration signed by the new keeper that the details given in accordance with sub-paragraphs (i) and (ii) are correct.
- (6) In this regulation “motor vehicle trader” means—
- (a) any person who carries on business as a dealer in motor vehicles;
 - (b) any person who carries on business as an auctioneer of motor vehicles;
 - (c) any person who carries on business as a dismantler of motor vehicles; and
 - (d) in relation to a particular mechanically propelled vehicle—
 - (i) a finance company which has acquired that vehicle under an order for repossession; and
 - (ii) an insurance company which has acquired that vehicle on satisfaction of a total loss claim.”

7. In regulation 24(6) for the words “Regulation 12” and the entry in brackets which follow them there shall be substituted—

“Regulation 12 (which relates to notification of change of ownership of vehicles where the vehicle registration book was issued before 24th March 1997), Regulation 12A (which relates to notification of change of ownership of vehicles where the vehicle registration document was issued on or after 24th March 1997)”.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Signed by authority of the Secretary of State for Transport

20th February 1997

John Bowis
Parliamentary Under Secretary of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Vehicles (Registration and Licensing) Regulations 1971 so as to introduce a new procedure for notifying the Secretary of State of the change of ownership of vehicles. The new procedure will apply in all cases in which a vehicle registration document has been issued in respect of the vehicle on or after 24th March 1997. Under the new procedure the registered keeper of the vehicle will be required to give the Secretary of State details of the change of ownership, except, for a limited period, where the change is within the motor trade. For a period of three months after the vehicle was last owned by a person who is not a motor vehicle trader the vehicle may be transferred within the motor trade without notification to the Secretary of State of changes of ownership, provided that the vehicle is used on public roads only under a trade licence.