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STATUTORY INSTRUMENTS

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**2003 No. 2635**

**The End-of-Life Vehicles Regulations 2003**

**PART V**

*Certificate of destruction*

**Issue of the certificate of destruction**

**27.** Subject to regulations 28 and 29, when an authorised treatment facility accepts delivery of an end-of-life vehicle transferred to it for treatment, it shall issue a certificate of destruction to the last holder or owner of the vehicle.

**Prohibition of charges**

**28.** An authorised treatment facility shall not impose any charge on the last holder or owner of an end-of-life vehicle for the issue of a certificate of destruction.

**Form and content of certificate of destruction**

**29.** The certificate of destruction issued by the authorised treatment facility shall contain at least the information listed in Schedule 3, which sets out the Annex to Decision [2002/151/EC](#) concerning certificates of destruction<sup>(1)</sup>.

**Enforcement**

**30.** It shall be the duty of the following authorities to enforce this Part of the Regulations—

- (a) in Great Britain, the Secretary of State, and
- (b) in Northern Ireland, the Department of the Environment.

**Offences**

**31.** Any person who contravenes a requirement of regulation—

- (a) 27; or
- (b) 28,

shall be guilty of an offence.

**Penalties**

**32.** A person guilty of an offence under regulation 31 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

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(1) OJNo. L050, 21.02.2002, p. 94.

**Certificate of destruction issued in an EEA State or Gibraltar**

33. A certificate of destruction validly issued—

- (a) by an authorised treatment facility in another EEA State or in Gibraltar; or
- (b) where permitted by a licensing authority in another EEA State or in Gibraltar, by a producer, dealer or collector on behalf of an authorised treatment facility;

in accordance with—

- (i) Article 5(3) of the Directive; and
- (ii) Decision [2002/151/EC](#),

shall have legal effect and all rights, powers, liabilities, obligations and restrictions arising out of or incidental to such certificates or their issue shall be recognised and available in law, and be enforced, allowed and followed accordingly.

**Amendments to the Road Vehicles (Registration and Licensing) Regulations 2002**

34. The Road Vehicles (Registration and Licensing) Regulations 2002(2) are amended as follows—

- (a) in regulation 17 the words “destroyed or” shall be deleted;
- (b) after regulation 17 the following shall be inserted—

**“Vehicles to which the End-of-Life Vehicles Directive applies**

17A.—(1) This regulation applies to a vehicle to which Directive 2000/53 of the European Parliament and of the Council on end-of-life vehicles applies and which is—

- (a) registered in the GB or NI records; or
- (b) designed or adapted for use on a road and would be registered but for the fact that it falls within the exemption in regulation 29(2).

(2) Where a vehicle to which this regulation applies is transferred to an authorised treatment facility—

- (a) if that facility is in the United Kingdom, the owner or operator thereof shall notify the Secretary of State of the issue of a certificate of destruction pursuant to regulation 27 of the End-of-Life Vehicles Regulations and at the same time shall surrender the registration document to him, except where the registration document has been lost, stolen or destroyed; and
- (b) if that facility is in an EEA State other than the United Kingdom, the registered keeper of the vehicle shall notify the Secretary of State of the issue in that other EEA State of a certificate of destruction and at the same time the registered keeper shall surrender the registration document to him except where the registration document has been lost, stolen or destroyed.

(3) Where the Secretary of State has been notified of the issue of a certificate of destruction he shall not as respects the vehicle to which it relates—

- (a) record in the GB records or, in the case of a vehicle registered in Northern Ireland, in the NI records any further change of keeper;
- (b) accept the required declaration in paragraph 1(1) of Schedule 4.

- (4) In this regulation “authorised treatment facility”, “certificate of destruction” and “EEA State” have the meanings that those expressions have in the End-of-Life Vehicles Regulations 2003.”; and
- (c) In Schedule 8—
- (i) in column 1 under the heading “Regulation”, after “17” there shall be inserted “17A”; and
  - (ii) in column 2 under the heading “Subject matter of regulation”, after “Notification of destruction or permanent export of a vehicle” there shall be inserted “Notification of the issue of a certificate of destruction: vehicle to which the End-of-Life Vehicles Directive applies”.

### **Restrictions on disclosure of information**

**35.**—(1) Subject to the following provisions of this regulation, a person shall be guilty of an offence if he discloses any information which was obtained by him from the register.

- (2) Paragraph (1) shall not apply to a disclosure made—
- (a) to any of the following authorities—
    - (i) the Secretary of State;
    - (ii) the Environment Agency;
    - (iii) the Scottish Environment Protection Agency;
    - (iv) the Director General of Fair Trading;
    - (v) a Local Weights and Measures Authority;
    - (vi) in Northern Ireland the Department of Enterprise, Trade and Investment or the Department of the Environment;
    - (vii) the Scottish Ministers; or
  - (b) to a motor vehicle insurance company; or
  - (c) in connection with the investigation of any criminal offence or for the purposes of any civil or criminal proceedings.
- (3) A person guilty of an offence under this regulation shall be liable—
- (a) on summary conviction to a fine not exceeding the statutory maximum;
  - (b) on conviction on indictment to a fine.

### **Interpretation**

- 36.** In this Part of the Regulations—
- (a) “register” means the record kept by or on behalf of the Secretary of State of the vehicles registered by him in Great Britain or in Northern Ireland under section 21 of the Vehicle Excise and Registration Act 1994; and
  - (b) “Secretary of State” means the Secretary of State for Transport.