
STATUTORY INSTRUMENTS

2003 No. 2635

The End-of-Life Vehicles Regulations 2003

PART VI

Delivery of end-of-life vehicles to treatment facilities

Application

37. This Part of the Regulations applies to vehicles put on the market on or after 1 July 2002 that are end-of-life vehicles which have no market value.

Delivery of an end-of-life vehicle to a treatment facility

38.—(1) Subject to regulation 38(2) when an authorised treatment facility accepts delivery of an end-of-life vehicle it shall not impose a charge on the last holder or owner of that vehicle as a result of the vehicle having no market value.

(2) In circumstances where the end-of-life vehicle does not contain the essential components of a vehicle, in particular the engine, transmission, coachwork, catalytic converter and wheels, or contains waste which has been added to the end-of-life vehicle, an authorised treatment facility may impose a charge on the last holder or owner of the vehicle.

39. Subject to regulation 38(2), a producer who has put a vehicle on the market on or after 1st July 2002 shall be responsible for meeting the costs incurred by an authorised treatment facility under regulation 38(1), as a result of such a vehicle having no market value when it is delivered to an authorised treatment facility.

Enforcement

40. 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.

41.—(1) A producer shall furnish a certificate of compliance to the relevant enforcement authority in respect of his obligations under regulation 39.

(2) Schedule 4 shall apply as regards the information to be contained in a certificate of compliance.

Offences

42.—(1) A person who contravenes regulation 38(1) shall be guilty of an offence.

(2) A person who—

- (a) fails upon request to furnish a certificate of compliance;

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- (b) knows the information provided in or in connection with the certificate to be false or misleading in a material particular; or
 - (c) furnishes such information recklessly and it is false or misleading in a material particular
- shall be guilty of an offence.

Penalties

43. A person guilty of an offence under either paragraph (1) or (2) or both of regulation 42 shall be liable—

- (a) on summary conviction to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment to a fine.