

2005 No. 2713

ROAD TRAFFIC

**The Road Vehicles (Registration and Licensing) (Amendment)
(No.2) Regulations 2005**

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| <i>Made</i> - - - - | <i>29th September 2005</i> |
| <i>Laid before Parliament</i> | <i>4th October 2005</i> |
| <i>Coming into force</i> - - | <i>31st October 2005</i> |

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by section 22ZA(1)(b) of the Vehicle Excise and Registration Act 1994(a).

Citation and commencement

1. These Regulations may be cited as the Road Vehicles (Registration and Licensing) (Amendment) (No.2) Regulations 2005 and shall come into force on 31st October 2005.

Amendment of Regulations

2. In regulation 33 of the Road Vehicles (Registration and Licensing) Regulations 2002(b) Regulations (nil licences), after paragraph (8) there shall be inserted—

“(8A) Section 22ZA of the 1994 Act shall apply to information of the following descriptions—

- (a) the name of any person to whom—
 - (i) disability living allowance or mobility supplement is payable; or
 - (ii) disability living allowance has ceased to be payable and who would be entitled to receive the mobility component at the higher rate but for his failure to satisfy a condition referred to in paragraph 19(2A)(b) of Schedule 2 to the 1994 Act;
- (b) that person’s date of birth and National Insurance number; and
- (c) if applicable, the date on which the allowance or supplement, as appropriate, will cease to be payable.

(8B) For the purposes of paragraph (8A)—

“disability living allowance” means a disability living allowance for the purposes of section 71 of the Social Security Contributions and Benefits Act 1992(c) (disability living allowance);

(a) 1994 c.22; section 22ZA was inserted by section 17 of the Finance Act 2002 (c.23) and amended by section 15 of the Finance Act 2003 (c.14).
(b) S.I. 2002/2742, to which there are amendments not relevant to these Regulations.
(c) 1992 c.4; section 71 was amended by section 67(1) of the Welfare Reform and Pensions Act 1999 (c.30).

“mobility component” means the mobility component of a disability living allowance and “higher rate” means the higher rate of the mobility component for the time being prescribed under section 73 of that Act^(a) (the mobility component); and
“mobility supplement” has the meaning which that expression bears in paragraph 19 of Schedule 2 to the 1994 Act.”.

Signed by authority of the Secretary of State

29th September 2005

S J Ladyman
Minister of State
Department for Transport

^(a) Section 73 was amended by section 67(3) of the Welfare Reform and Pensions Act 1999 and the rates of the mobility component are prescribed by S.I. 1991/2890; relevant amending instruments are S.I. 1993/1939, 2005/522.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Vehicles (Registration and Licensing) Regulations 2002.

Regulation 2 provides that information relating to the payment of the mobility supplement of the war pension and the higher rate mobility component of disability living allowance, and to the suspension of an entitlement to receive the latter, is prescribed for the purposes of section 22ZA of the Vehicle Excise and Registration Act 1994. Information so prescribed may be disclosed by the Secretary of State or, in relation to social security functions in Northern Ireland, by the relevant Northern Ireland department to another Secretary of State in order to verify entitlement to an exemption from vehicle excise duty by virtue of the keeper or user of a vehicle being entitled to receive such a benefit.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business.

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