

2005 No. 2981

ROAD TRAFFIC, ENGLAND AND WALES

The Vehicles Crime (Registration of Registration Plate Suppliers) (England and Wales) (Amendment) Regulations 2005

<i>Made</i> - - - -	<i>26th October 2005</i>
<i>Laid before Parliament</i>	<i>1st November 2005</i>
<i>Coming into force</i> - -	<i>1st December 2005</i>

The Secretary of State for Transport makes the following Regulations in exercise of the powers conferred by sections 17(3)(a), 24(1), 25(1) and 41(2) of the Vehicles (Crime) Act 2001(a).

Citation and commencement

1. These Regulations may be cited as the Vehicles Crime (Registration of Registration Plate Suppliers) (England and Wales) (Amendment) Regulations 2005 and shall come into force on 1st December 2005.

Amendment of Regulations

2.—(1) The Vehicles Crime (Registration of Registration Plate Suppliers) (England and Wales) Regulations 2002(b) shall be amended as follows.

(2) In regulation 2 (interpretation)—

- (a) at the end of the definition of “company”, “and” shall be omitted;
- (b) after that definition there shall be inserted—

““fixed”, in relation to a registration plate, means fixed in accordance with regulations made under section 22(2) or 23(3) of the 1994 Act;

“registration certificate” has the same meaning as that expression bears in Council Directive 1999/37/EC on the registration documents for vehicles(c);

“registration document” means a registration certificate issued in accordance with regulations under section 22(1) of the 1994 Act; and”.

(3) For regulation 3 (exempted activity) there shall be substituted—

“3. The transfer of possession of a registration plate in consequence of the sale or other transfer of the vehicle to which it is fixed and to which the registration mark which is displayed on that registration plate has been assigned shall be treated for the purposes of Part 2 of the Act as not being an activity which consists in selling registration plates where the seller or transferor, as the case may be, of the vehicle is a dealer in vehicles and—

(a) 2001 c.3.

(b) S.I. 2002 /2977, to which there is an amendment not relevant to these Regulations.

(c) OJ No. L 138, 1.6.1999, p.57.

- (a) he has arranged the first registration in the United Kingdom of the vehicle on behalf of the intended purchaser or keeper; or
 - (b) the registration plate was not fixed to the vehicle by him or on his behalf.”
- (4) In regulation 6 (information on sale of registration plates)—
- (a) in paragraph (1), for “paragraph (5)” there shall be substituted “paragraphs (5) and (5A)”;
 - (b) at the beginning of paragraph (3) there shall be inserted “Save where paragraph (6A) applies,”;
 - (c) in paragraph (5)—
 - (i) the words “to (4)” shall be omitted;
 - (ii) for “regulation 3” there shall be substituted “regulation 3(a)”;
 - (d) after paragraph (5) there shall be inserted—

“(5A) Paragraph (2)(f) shall not apply where paragraph (6A) applies.”;
 - (e) after paragraph (6) there shall be inserted—

“(6A) This paragraph applies where the registration plate is fixed to the vehicle to which there has been assigned the registration mark displayed on the registration plate and that vehicle is sold or transferred with the registration plate fixed to it.”.
- (5) In regulation 7 (keeping of records by registered persons)—
- (a) in paragraph (2)—
 - (i) sub-paragraphs (b) to (d) shall be omitted;
 - (ii) for sub-paragraph (f) there shall be substituted—

“(f) a statement of such particulars or numbers (if any) appearing on the document referred to in sub-paragraph (e) as purport to make the document or those particulars or numbers (or both) unique to the purchaser and which in the case of a driving licence shall be the driver number;”;
 - (b) for sub-paragraph (h) there shall be substituted—

“(h) where that document is a registration document, registration certificate or the authorisation described in paragraph (7) of Part 2 of the Schedule, the reference number of that document or certificate or the number referred to in that authorisation, as the case may be.”.
- (6) In Part 1 of the Schedule (documents to verify name and address)—
- (a) for paragraph 1 there shall be substituted—

“**1.** The documents used shall be—

 - (a) that described in paragraph 2;
 - (b) one or more of the documents described in paragraph 3 which meet the requirements specified in paragraph 4; or
 - (c) one of the documents described in paragraph 3(b) to (f) which is valid and a registration document or registration certificate, if that document or certificate is also used to verify information as to the connection with the registration mark or vehicle pursuant to regulation 6(4).”;
 - (b) for paragraphs 3 and 4 there shall be substituted—

“**3.** The documents described in this paragraph are—

 - (a) a driving licence whether or not issued in the United Kingdom;
 - (b) a passport whether or not issued in the United Kingdom;
 - (c) a national identity card issued by the government of a state or territory other than the United Kingdom;
 - (d) a debit card or credit card issued by a bank or building society;

- (e) a police warrant card;
- (f) an armed forces identity card;
- (g) a bill or statement of account issued in respect of the supply of gas, electricity, water or telecommunications services to premises at a specified address;
- (h) a council tax bill or statement of account; and
- (i) a statement relating to an account held at a bank or building society.

4. At the time of being obtained pursuant to regulation 6 by the person registered under the Act—

- (a) the documents described in paragraph 3(a) to (f) must be valid; and
- (b) the documents described in paragraph 3(g) to (i) must be dated, or relate to a period ending, no earlier than six months before that time.”.

(7) In Part 2 of the Schedule (documents to establish connection with vehicle)—

- (a) in the heading, after “connection with the” there shall be inserted “registration mark or”;
- (b) for paragraph (1), there shall be substituted—

“(1) A registration document or registration certificate or that part of such document or certificate as is required under section 22(1)(dd) of the 1994 Act to be furnished to a new keeper of the vehicle upon its sale or disposal.”.
- (c) in paragraph (3), for the words from “(right” to the end of the paragraph there shall be substituted “(retention document relating to a right of retention in a registration mark)”;
- (d) in paragraph (5), for “(certificate of vehicle registration)” there shall be substituted “(temporary registration certificate)”;
- (e) for paragraph (7) there shall be substituted—

“(7) An authorisation for the purchase of the number plate, issued by a company owning more than one vehicle, stating that it holds the registration document or the registration certificate and giving the reference number of that document or certificate.”.

Signed by authority of the Secretary of State

26th October 2005

S. J. Ladyman
Minister of State
Department for Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Vehicles Crime (Registration of Registration Plate Suppliers) (England and Wales) Regulations 2002.

The Regulations—

- (a) define the expressions “fixed”, “registration certificate” and “registration document” and exempt from being considered as the selling of registration plates the transfer of possession of a registration plate by virtue of a sale or transfer of the vehicle to which it is fixed where the plate has not been fixed to that vehicle by or on behalf of the seller thereof (*regulation 2(2) and (3)*);
- (b) provide that there is no requirement to obtain information regarding the connection of a purchaser to a vehicle or to verify the name and address where the registration plate is fixed to a vehicle which is sold or transferred (*regulation 2(4)*);
- (c) provide that registered persons no longer have to retain records relating to payment methods (*regulation 2(5)(a)(i)*);
- (d) require registered suppliers of registration plates to record particulars or numbers unique to the purchaser of a registration plate from documents used to verify that person’s name and address and provide for the recording of reference numbers from registration documents or certificates (*regulation 2(5)(a)(ii) and (b)*);
- (e) provide that in the absence of a photocard driving licence the name and address of the purchaser are to be verified by one or more specified documents which meet specified requirements and make additions to the list of documents which may be used for such purpose (*regulation 2(6)*); and
- (f) make some corrections and additions to the list of documents which may be used to establish a connection with the registration mark or vehicle (*regulation 2(7)*).

A full Regulatory Impact Assessment of the effect that these Regulations will have on the costs of business is available from the Crime Reduction Group at the Driver and Vehicle Licensing Agency (DVLA), Swansea, SA99 7JL (telephone number: 01792 765197; fax: 01792 765206). A copy has been placed in the library of both Houses of Parliament. The Assessment may also be found by visiting the DVLA website at www.dvla.gov.uk.

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