



# Road Traffic Act 1972

## 1972 CHAPTER 20

### PART VII

#### MISCELLANEOUS AND GENERAL

*Forgery, false statements, etc.*

#### **169     Forgery of documents, etc.**

- (1) A person shall be guilty of an offence who, with intent to deceive—
  - (a) forges, or alters, or uses or lends to, or allows to be used by, any other person, a document or other thing to which this section applies, or
  - (b) makes or has in his possession any document or other thing so closely resembling a document or other thing to which this section applies as to be calculated to deceive.
- (2) This section applies to the following documents and other things, namely—
  - (a) any licence under any Part of this Act;
  - (b) any test certificate, goods vehicle test certificate, plating certificate, manufacturer's certificate or Minister's approval certificate;
  - (c) any plate containing plated particulars or containing other particulars required to be marked on a goods vehicle by section 47 of this Act or regulations thereunder ;
  - (d) any records required to be kept by virtue of section 59 of this Act;
  - (e) any document which, in pursuance of section 85(2) or 119(1) of this Act, is issued as evidence of the result of a test of competence to drive ;
  - (f) any badge or certificate prescribed by regulations under section 135 of this Act;
  - (g) any certificate of insurance or certificate of security under Part VI of this Act;
  - (h) any document issued under regulations made by the Secretary of State in pursuance of his power under paragraph (i) of section 162(1) of this Act to

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prescribe evidence which may be produced in lieu of a certificate of insurance or a certificate of security.

- (3) In this section "plated particulars", "manufacturer's certificate" and "Minister's approval certificate" have the same meanings as they respectively have for the purposes of Part II of this Act; and in the application of this section to England and Wales "forges" means forges within the meaning of the Forgery Act 1913.

## **170 False statements and withholding material information**

- (1) A person shall be guilty of an offence who knowingly makes a false statement for the purpose—
  - (a) of obtaining the grant of a licence under any Part of this Act to himself or any other person, or
  - (b) of preventing the grant of any such licence, or
  - (c) of procuring the imposition of a condition or limitation in relation to any such licence, or
  - (d) of securing the entry or retention of the name of any person in the register of approved instructors maintained under Part V of this Act.
- (2) A person shall be guilty of an offence who in supplying information or producing documents for the purposes either of section 46, 47, 48, 49 or 51 of this Act or of regulations made under section 45, 50 or 52(2) thereof makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular, or produces, furnishes, sends or otherwise makes use of a document which he knows to be false in a material particular or recklessly produces, furnishes, sends or otherwise makes use of a document which is false in a material particular.
- (3) A person shall be guilty of an offence who knowingly produces false evidence for the purposes of regulations under section 52(1) of this Act or knowingly makes a false statement in a declaration required to be made by the regulations.
- (4) A person shall be guilty of an offence who knowingly makes a false statement in a certificate or declaration under section 54 of this Act (including that section as applied by section 55(3) thereof).
- (5) A person shall be guilty of an offence who wilfully makes a false entry in any record required to be made or kept by regulations under section 59 of this Act or, with intent to deceive, makes use of any such entry which he knows to be false.
- (6) A person shall be guilty of an offence who makes a false statement or withholds any material information for the purpose of obtaining the issue—
  - (a) of a certificate of insurance or certificate of security under Part VI of this Act, or
  - (b) of any document issued under regulations made by the Secretary of State in pursuance of his power under paragraph (i) of section 162(1) of this Act to prescribe evidence which may be produced in lieu of a certificate of insurance or a certificate of security.
- (7) Section 64(2) of this Act shall apply for the purposes of proceedings under subsections (2) and (5) above as it applies for the purposes of the proceedings mentioned in that subsection.

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## **171 Issue of false documents**

A person shall be guilty of an offence who issues any such document as is referred to in paragraph (a) or (b) of section 170(6) of this Act, or a test certificate or manufacturer's certificate (within the meaning of Part II of this Act) if the document or certificate so issued is to his knowledge false in a material particular.

## **172 Using goods vehicle with unauthorised weights as well as authorised weights marked thereon**

If there is fixed to a goods vehicle a plate containing plated weights of any description determined for that vehicle by virtue of section 45 of this Act or specified in a certificate therefor under section 47(5), (6), (8) or (11) of this Act, the vehicle shall not, while it is used on a road, be marked with any other weights, except other plated weights, other weights required or authorised to be marked on the vehicle by regulations under section 40 of this Act or weights so authorised for the purposes of this section by regulations made by the Secretary of State and marked in the prescribed manner; and in the event of a contravention of or failure to comply with this section the owner of the vehicle shall be guilty of an offence.

## **173 Power to seize articles with respect to which offences under ss.169 to 171 may have been committed**

- (1) If a constable has reasonable cause to believe that a document produced to him in pursuance of section 137 of this Act, or in pursuance of any of the foregoing provisions of this Part of this Act, is a document in relation to which an offence has been committed under section 169, 170 or 171 of this Act or under section 86 of the Road Traffic Regulation Act 1967, he may seize the document; and when a document is seized under this subsection, the person from whom it was taken shall, unless the document has been previously returned to him or he has been previously charged with an offence under any of those sections, be summoned before a magistrates' court or, in Scotland, the sheriff to account for his possession of the said document and the court or sheriff shall make such order respecting the disposal of the said document and award such costs as the justice of the case may require.
- (2) If a constable, a certifying officer appointed under Part III of the Road Traffic Act 1960 or an examiner appointed under section 56 of this Act has reasonable cause to believe that a document or plate carried on a motor vehicle or by the driver thereof is a document or plate in relation to which an offence has been committed under section 169, 170 or 171 of this Act in so far as they apply—
  - (a) to documents evidencing the appointment of examiners for the purposes of sections 56 to 58 of this Act, or
  - (b) to goods vehicle test certificates, plating certificates, manufacturers' certificates or Minister's approval certificates, or
  - (c) to plates containing plated particulars or containing other particulars required to be marked on goods vehicles by section 47 of this Act or regulations made thereunder, or
  - (d) to records required to be kept by virtue of section 59 of this Act,he may seize the document or plate; and when a document or plate is seized under this subsection, either the driver or owner of the vehicle shall, if the document or plate is still detained and neither of them has previously been charged with an offence in relation thereto under section 169, 170 or 171 of this Act, be summoned before a

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magistrates' court or, in Scotland, the sheriff to account for his possession of, or the presence on the vehicle of, the said document or plate and the court or sheriff shall make such order respecting the disposal of the said document or plate and award such costs as the justice of the case may require.

For the purposes of this subsection the power to seize includes power to detach from a vehicle.

- (3) In subsection (2) above " plated particulars ", " manufacturer's certificate " and " Minister's approval certificate " have the same meanings as they respectively have for the purposes of Part II of this Act.

#### **174 Personation of, or of person employed by, authorised examiner**

A person shall be guilty of an- offence if, with intent to deceive, he falsely represents himself to be, or to be employed by, a person authorised by the Secretary of State for the purposes of section 43 of this Act.