

Changes to legislation: Vehicle Excise and Registration Act 1994, Cross Heading: Removal and disposal of vehicles is up to date with all changes known to be in force on or before 22 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

[^{F1}SCHEDULE 2A

IMMOBILISATION, REMOVAL AND DISPOSAL OF VEHICLES

Textual Amendments

F1 Sch. 2A inserted (1.5.1995) by 1995 c. 4, s. 19, Sch. 4 para. 36(2)

Removal and disposal of vehicles

- 3 [The regulations may make provision with respect to any case where—
- ^{F2}(1) (a) an authorised person has reason to believe that an offence under section 29(1) —
- (i) is being committed as regards a vehicle which is stationary [^{F3}in any place other than a place to which this Schedule does not apply]; or
 - (ii) was being committed as regards a vehicle at a time when an immobilisation device which is fixed to the vehicle was fixed to it in accordance with the regulations;
- and
- (b) such conditions as may be prescribed are fulfilled.]
- (2) The regulations may provide that [^{F4}the authorised person, or a person acting under his direction], may [^{F5}enter the place and] remove the vehicle and deliver it into the custody of a person—
- (a) who is identified in accordance with prescribed rules, and
 - (b) who agrees to accept delivery in accordance with arrangements agreed between that person and the Secretary of State;
- and the arrangements may include provision as to the payment of a sum to the person into whose custody the vehicle is delivered.
- (3) The regulations may provide that the person into whose custody the vehicle is delivered may dispose of it, and in particular provision may be made as to—
- (a) the time at which the vehicle may be disposed of;
 - (b) the manner in which it may be disposed of.
- (4) The regulations may make provision allowing a person to take possession of the vehicle if—
- (a) he claims it before it is disposed of, and
 - (b) any prescribed conditions are fulfilled.
- (5) The regulations may provide for a sum of an amount arrived at under prescribed rules to be paid to a person if—
- (a) he claims after the vehicle's disposal to be or to have been its owner,

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- (b) the claim is made within a prescribed time of the disposal, and
 - (c) any other prescribed conditions are fulfilled.
- (6) The regulations may provide that—
- (a) the Secretary of State, or
 - (b) a person into whose custody the vehicle is delivered under the regulations, may recover from the vehicle’s owner (whether or not a claim is made under provision made under sub-paragraph (4) or (5)) such charges as may be prescribed in respect of all or any of the following, namely, its release, removal, custody and disposal; and “owner” here means the person who was the owner [^{F6}when the vehicle was removed].
- (7) The conditions prescribed under sub-paragraph (4) may include conditions as to—
- (a) satisfying the person with custody that the claimant is the vehicle’s owner;
 - (b) the payment of prescribed charges in respect of the vehicle’s release, removal and custody;
 - [^{F7}(c) the production of evidence that no offence under section 29(1) was committed;
 - (d) payment of a prescribed sum where such evidence is not produced;
 - (e) the making of a declaration described in paragraph 1(6A)(a), (b) or (c).]
- (8) Without prejudice to anything in the preceding provisions of this paragraph, the regulations may include provision for purposes corresponding to those of sections 101 and 102 of the ^{M1}Road Traffic Regulation Act 1984 (disposal and charges) subject to such additions, omissions or other modifications as the Secretary of State thinks fit.]

Textual Amendments

- F2** Sch. 2A para. 3(1) substituted (8.10.1997) by 1997 c. 16, s. 20(1); S.I. 1997/2392, art. 2
- F3** Words in Sch. 2A para. 3(1)(a)(i) substituted (21.7.2008) by Finance Act 2008 (c. 9), Sch. 45 para. 7(2)
- F4** Words in Sch. 2A para. 3(2) substituted (8.10.1997) by 1997 c. 16, s. 20(2); S.I. 1997/2392, art. 2
- F5** Words in Sch. 2A para. 3(2) inserted (21.7.2008) by Finance Act 2008 (c. 9), Sch. 45 para. 7(3)
- F6** Words on Sch. 2A para. 3(3) substituted (8.10.1997) by 1997 c. 16, s. 20(3); S.I. 1997/2392, art. 2
- F7** Sch. 2A para. 3(7)(c)-(e) substituted for Sch. 2A para. 3(7)(c) (21.7.2008) by Finance Act 2008 (c. 9), Sch. 45 para. 7(4)

Marginal Citations

- M1** 984 c. 27.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(1A) inserted by [2006 c. 49 s. 47\(2\)](#)
- s. 7(5)(za) inserted by [2006 c. 49 s. 47\(3\)](#)
- s. 22(1)(aa) inserted by [2006 c. 49 s. 47\(6\)](#)
- s. 22(1AA) inserted by [2006 c. 49 s. 47\(9\)](#)
- s. 22(1BA) inserted by [2006 c. 49 s. 47\(10\)](#)
- Sch. 1 para. 1N inserted by [2023 c. 1 s. 10\(5\)\(e\)\(7\)](#)
- Sch. 2 para. 20G(2)(za)-(zc) inserted by [2023 c. 1 s. 10\(2\)\(a\)\(i\)\(7\)](#)