

Changes to legislation: Vehicle Excise and Registration Act 1994, Paragraph 3 is up to date with all changes known to be in force on or before 18 November 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** 1984 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\(2\)\(a\)\(i\)\(7\)](#)