



# Serious Organised Crime and Police Act 2005

## 2005 CHAPTER 15

### PART 5

#### MISCELLANEOUS

##### *Vehicle registration and insurance and road traffic offences*

#### **156 Payments by Scottish Ministers to [<sup>F1</sup>Scottish Police Authority] in relation to the prevention, detection and enforcement of certain traffic offences**

- (1) The Scottish Ministers may make payments in respect of the whole or any part of the expenditure of [<sup>F2</sup>the Scottish Police Authority] in relation to—
  - (a) the prevention and detection of offences to which subsection (3) applies, or
  - (b) any enforcement action or proceedings in respect of such offences or any alleged such offences.
- (2) Payments under this section shall be made at such times, in such manner and subject to such conditions as the Scottish Ministers may determine.
- (3) This subsection applies to offences committed in Scotland under the following provisions—

##### *Road Traffic Act 1988 (c. 52)*

section 14 (requirements regarding seat belts: adults);

section 15(2) and (4) (restriction on carrying children not wearing seat belts in motor vehicles);

section 42 (motor vehicles and trailers: other construction and use requirements) in relation to the construction and use requirements imposed by the following regulations—

**Changes to legislation:** *Serious Organised Crime and Police Act 2005, Section 156 is up to date with all changes known to be in force on or before 20 March 2024. 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*

(a) regulations 54, 57, 104 and 110 of the Road Vehicles (Construction and Use) Regulations 1986 (S.I. 1986/1078);

(b) regulations 11(1) and 25 of the Road Vehicles Lighting Regulations 1989 (S.I. 1989/1796);

section 47 (obligatory test certificates for motor vehicles);

section 87(1) (drivers of motor vehicles to have driving licences);

section 143 (users of motor vehicles to be insured <sup>F3</sup>...);

section 163 (power of police to stop vehicles);

section 172 (duty to give information as to the identity of driver etc. in certain circumstances);

#### *Vehicle Excise and Registration Act 1994 (c. 22)*

section 33 (not exhibiting vehicle licence);

section 42 (not fixing registration mark);

section 43 (obscured registration mark);

section 43C (using an incorrectly registered vehicle);

section 59 (regulations: offences) in relation to the requirements imposed by regulation 11 of the Road Vehicles (Display of Registration Marks) Regulations 2001 (S.I. 2001/561).

(4) The Scottish Ministers may by order amend the list of offences in subsection (3) so as to add, modify or omit any entry.

(5) In subsection (3) “construction and use requirements” has the meaning given by section 41(7) of the Road Traffic Act 1988 (c. 52).

(6) In section 95 of the Road Traffic Offenders Act 1988 (c. 53) (destination of fines imposed in respect of road traffic offences etc.) insert—

“(3) There shall be paid into the Scottish Consolidated Fund all fixed penalties imposed in respect of offences, committed in Scotland, to which section 156(3) of the Serious Organised Crime and Police Act 2005 applies.”

#### **Textual Amendments**

- F1** Words in s. 156 title substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 48(14)(a)**
- F2** Words in s. 156(1) substituted (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012 \(Consequential Provisions and Modifications\) Order 2013 \(S.I. 2013/602\)](#), art. 1(2), **Sch. 2 para. 48(14)(b)**
- F3** Words in s. 156(3) omitted (1.11.2019) by virtue of [The Motor Vehicles \(Compulsory Insurance\) \(Miscellaneous Amendments\) Regulations 2019 \(S.I. 2019/1047\)](#), reg. 1, **Sch. 1 para. 35** (with reg. 5)

#### **Commencement Information**

- I1** S. 156 in force at 1.7.2005 by [S.S.I. 2005/358](#), **art. 2(b)**

**Changes to legislation:**

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[View outstanding changes](#)

**Commencement Orders yet to be applied to the Serious Organised Crime and Police Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2006/2182 art. 3](#) amendment to earlier commencing SI 2006/1871