

SCHEDULE 4

STATUTORY OFF-ROAD NOTIFICATION

PART I

General

Interpretation of Schedule

1.—(1) In this Schedule—

“authorised insurer” has the meaning given in section 145(5) of the 1988 Act;

“personal credit agreement” has the meaning given in section 8(1) of the Consumer Credit Act 1974(1);

“relevant vehicle” means a vehicle which is either a relevant GB vehicle or a relevant NI vehicle;

“the required declaration” means a declaration made to the Secretary of State by a person surrendering a vehicle licence or the keeper of a relevant vehicle to the effect that (except for use under a trade licence) he does not for the time being intend to use or keep the vehicle on a public road and will not use or keep the vehicle on a public road without first taking out a vehicle licence (or if appropriate a nil licence) for the vehicle;

“the required particulars” in relation to a relevant vehicle are particulars of—

- (a) the registration mark of the vehicle;
- (b) the make and model of the vehicle; and
- (c) the address of the premises at which the vehicle is kept; and

“unlicensed vehicle” means a relevant vehicle for which no vehicle licence is for the time being in force and “unlicensed” shall be construed accordingly.

(2) In this Schedule, subject to sub-paragraph (3),—

(a) a “relevant GB vehicle” means a vehicle which is registered in the GB records and kept in Great Britain, but does not include a vehicle in relation to which each of the following conditions is satisfied—

- (i) neither a vehicle licence nor a nil licence was in force for the vehicle on 31st January 1998;
- (ii) such a licence has not been taken out for the vehicle for a period starting after that date; and
- (iii) the vehicle has not been used or kept on a public road on or after that date; and

(b) a “relevant NI vehicle” means a vehicle which is registered in the NI records and kept in Northern Ireland, but does not include a vehicle in relation to which each of the following conditions is satisfied—

- (i) neither a vehicle licence nor a nil licence was in force for the vehicle on 30th November 2002;
- (ii) such a licence has not been taken out for the vehicle for a period starting after that date; and

(1) 1974 c. 39; section 8 was amended by the Consumer Credit (Increase of Monetary Limits) Order 1983 S.I. 1983/1878 Schedule; Part II and by S.I. 1998/996.

Status: This is the original version (as it was originally made).

(iii) the vehicle has not been used or kept on a public road on or after that date.

(3) A vehicle which is an exempt vehicle falling within a description specified in paragraph 2, 2A, 3, 23 or 24 of Schedule 2 to the 1994 Act is neither a relevant GB nor a relevant NI vehicle.

(4) For the purposes of this Schedule a person is a “relevant vehicle trader” in relation to a vehicle if he falls within a description mentioned in column (2) of an item in the Table below and the vehicle falls within a description mentioned in column (3) of that item.

TABLE

<i>(1)</i> <i>Item</i>	<i>(2)</i> <i>Descriptions of person</i>	<i>(3)</i> <i>Descriptions of vehicle</i>
1.	The holder of a trade licence	A vehicle temporarily in his possession in the course of the business by virtue of which he is a person eligible to hold such a licence
2.	An auctioneer of vehicles	A vehicle temporarily in his possession in the course of his business as such an auctioneer
3.	A motor dealer	A vehicle temporarily in his possession in the course of his business as a motor dealer
4.	A person who carries on business as a dismantler of vehicles	A vehicle temporarily in his possession in the course of that business
5.	An authorised insurer	A vehicle temporarily in his possession in consequence of settling a claim under a policy of insurance which related to the vehicle
6.	The holder of a licence under Part II of the Consumer Credit Act 1974	A vehicle temporarily in his possession under an order for the repossession of the vehicle made in pursuance of a personal credit agreement relating to the vehicle