

## 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

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(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

**Manner in which declaration is to be made and particulars furnished**

2.—(1) For the purposes of this Schedule the required declaration may be made and the required particulars furnished in such way as the Secretary of State may accept including—

- (a) in writing on a form specified by the Secretary of State;
- (b) orally by telephone to a person authorised by the Secretary of State; or
- (c) by electronic means in a form specified by the Secretary of State.

(2) A person furnishing the required particulars need not provide particulars of the address at which the vehicle is kept unless required to do so—

- (a) in a case falling within sub-paragraph (1)(a) or (c), by the form on which those particulars are furnished; or

(b) in a case falling within sub-paragraph (1)(b) , by the person to whom they are furnished.