

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Vehicle Excise Duty (Immobilisation, Removal and Disposal of Vehicles) Regulations 1997.

The Regulations—

- (a) provide that, unless within the curtilage of a dwelling, a stationary vehicle may be immobilised, removed or impounded where there is reason to believe that an offence under section 29(1) of the Vehicle Excise and Registration Act 1994 (“the Act”) is being committed in relation to it (*regulations 3, 4(a), 5(a) and (b)(ii) and (iii), 8(a) and 10*);
- (b) omit an exception from the application of the regulations in respect of vehicles to which section 29(1) of the Act does not apply and make a consequential amendment (*regulation 4(b) and (c)*);
- (c) provide that a person may enter onto land to immobilise or remove a vehicle (*regulations 5(b)(i) and 8(b)*);
- (d) prescribe the circumstances in which an immobilised vehicle must be released where the prescribed release charge is paid or a vehicle licence is produced and make consequential amendments (*regulation 6*);
- (e) make it an offence to falsely declare, with a view to securing the release of a vehicle, that the vehicle was licensed, nil-licensed, exempt or the subject of a valid statutory off- road declaration (*regulation 7*);
- (f) provide that the owner of a vehicle must, unless making a surety payment or producing a vehicle licence, produce evidence that no offence under section 29(1) of the Act was committed in respect of that vehicle in order to take possession of it and to avoid payment of the prescribed charges for its removal and storage (*regulation 9*);
- (g) provide for increases in the prescribed charges for the release, removal and storage of certain vehicles and for the surety payment (*regulation 11(a)(i), (ii)(bb), (iii)(bb), (iv) and (b)*); and
- (h) extend the lower charge where possession of a removed vehicle is taken within 24 hours from motorcycles to all vehicles (*regulation 11(a)(ii)(aa) and (iii)(aa)*).

The previous prescribed charges were introduced on 9th April 2001. The following table summarises the changes made by these Regulations to the prescribed charges.

(1) Previous Charge	(2) New Charge	(3) Total percentage Increase	(4) Equivalent average annual percentage increase since the previous charges were introduced
£80	£100	25%	3.57%
£160	£200	25%	3.57%
£15 per day	£21 per day	40.00%	5.72%

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

£120	£160	33.33%	4.76%
£300	£330	10.00%	1.42%
£600	£700	16.66%	2.38%

A full impact assessment has not been produced for these Regulations as no impact on the costs of the private or voluntary sectors is foreseen.