
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Retention of Registration Marks Regulations 1993.

The Regulations provide that—

- (a) the definition of “grantee” includes a person in whom a right, to have a mark which is assigned to a vehicle assigned to another vehicle (a “right of retention”), vests by operation of law (*regulation 3(a)*);
- (b) where a motor dealer who supplies new cars or motorcycles is to assign a registration mark, a right of retention may be exercised by surrendering the retention document to the dealer (*regulations 3(b) and 11*);
- (c) the period for which a right of retention may be extended is no longer limited to 12 months as it may now also be extended for a period of 24 or 36 months, upon payment of the fee of £50 and £75 respectively (*regulations 3(b), 7 and 9 which also make consequential amendments*);
- (d) a right of retention is no longer limited to a duration of 12 months as it may now also be acquired for a period of 24 or 36 months, upon payment of a fee of £50 and £75 respectively, (*regulations 3(c), 5(b), 8 and 10(a) and (b) which also make consequential amendments*);
- (e) a right of retention may be granted to a person other than the registered keeper if the keeper so requests (*regulations 3(d), 4 and 5(b)*);
- (f) application for a right of retention may be made, and is exercisable, in respect of a vehicle which has a nil licence (*regulation 3(e)*);
- (g) a nomination may be made at the same time as the exercise of a right of retention (*regulations 6 and 10(c)(ii) which also make consequential amendments*);
- (h) the condition for assignment of a registration mark that it must not indicate that the vehicle to which the mark is to be assigned was first used more recently than is the case now also applies to registration marks consisting of a group of two letters and two numbers followed by a group of three letters, for example DE51 ABC (*regulation 12*); and
- (i) errors are corrected (*regulations 5(a), 10(c)(i)*).

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Policy, Research and Development Directorate, the Driver and Vehicle Licensing Agency, Swansea, SA6 7RL and is annexed to the Explanatory Memorandum which is available alongside the instrument on the OPSI website, www.opsi.gov.uk. A copy of the assessment has been placed in the library of each House of Parliament.